

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v-

DOMINICK DEVITO, et al.,

Defendants.

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GOVERNMENT'S MEMORANDUM OF LAW IN OPPOSITION
TO DEFENDANTS' SEVERANCE MOTIONS

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**THE GOVERNMENT'S MEMORANDUM OF LAW
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The Government respectfully submits this memorandum of law in opposition to the severance motions of defendants Dominick DeVito, Louis Cordasco, Jr., and John Liscio. First, DeVito, Cordasco and Liscio seek severance of Counts Fourteen and Fifteen, which relate to an alleged conspiracy to commit insurance fraud, from the other counts in the Indictment, on the basis that those counts are misjoined and that a joint trial on all counts would be prejudicial to the defendants. Second, DeVito seeks severance from all other defendants on all counts, based on an alleged potential violation of his Confrontation Clause rights should the Government offer certain recorded statements by his co-defendants at trial. Third, DeVito seeks

severance of Count 13, which charges him with obstruction of justice in a prior court proceeding, from the other counts in the Indictment. For the reasons set forth below, the Government respectfully submits that the defendants' motions should be denied. However, the Government consents to a bifurcation of the trial with respect to Count 13.

Background

Indictment S4 06 Cr. 1089 (BSJ) (the "Indictment"), returned by a grand jury on or about April 29, 2008, charges defendants Dominick DeVito and Robert DiDonato with participating in a wide-ranging mortgage fraud scheme, and it charges defendants DeVito, DiDonato, John Liscio and Louis Cordasco, Jr. with participating in a related insurance fraud scheme. The Indictment also charges DeVito with one count of obstruction of justice.

First, in Counts 1 through 12, the Indictment charges DeVito and DiDonato with participating in a conspiracy to commit bank fraud from in or about January 2002 through November 2004. DeVito was the leader of the fraudulent real estate investment scheme (Ind't ¶ 1); DiDonato acted as a real estate broker for DeVito in the purchase of properties that were the subject of the scheme (Ind't ¶ 2). The purpose of the bank fraud conspiracy was to purchase and re-finance several multi-million dollar residential properties with mortgage and home equity loans obtained through the submission of false and misleading

information to banks and other lenders." (Ind't ¶ 3).

As a result of the scheme, the defendants obtained control over certain properties they otherwise would not have been able to purchase, and they earned millions of dollars from loan proceeds, fees and commissions. (Ind't ¶ 12).

Specifically, DeVito, DiDonato, and their co-conspirators fraudulently obtained control over the following properties: 28 Brae Burn Drive, Purchase, New York ("28 Brae Burn"), 29 Pinehurst Drive, Purchase, New York ("29 Pinehurst"), 116 Lakeshore Drive, Eastchester, New York ("116 Lakeshore Drive"), 9 Oak Valley Lane, Purchase, New York, ("9 Oak Valley"), 4350 Purchase Street, Purchase, New York ("4350 Purchase"), 3801 Purchase Street, Purchase, New York ("3801 Purchase"), 4 Ridgeland Manor, Rye, New York ("4 Ridgeland") and 28 Scott Circle, Purchase, New York ("28 Scott Circle"). (Ind't ¶ 3). In order to perpetrate this scheme, DeVito, among other things, utilized two business entities that he controlled -- the Purchase Real Estate Group ("PREG") and Encantada Realty Group. Proceeds related to loans taken out against certain of these properties were deposited into a PREG bank account that was controlled by DeVito.

Counts Fourteen and Fifteen charge all four defendants with participating in an insurance fraud scheme from approximately January 2003 through February 2005. The defendants are alleged to have schemed to defraud insurance companies by

submitting false insurance claims and supporting documents for water damage to homes and/or their contents caused by broken pipes. (Ind't ¶ 31).

DeVito orchestrated the insurance fraud scheme, as well as organizing and leading the mortgage fraud conspiracy. At DeVito's direction, Liscio, who is an insurance broker, sold various insurance policies to the homeowners of 28 Brae Burn, 4350 Purchase, 28 Scott Circle, and 3801 Purchase, and other properties that DeVito, DiDonato, and their co-conspirators purchased as part of the mortgage fraud scheme described above. Liscio also sold an insurance policy to DeVito for DeVito's personal property while DeVito lived at 28 Brae Burn. (Ind't ¶ 31). After DeVito and his co-conspirators obtained control over 28 Brae Burn, 28 Scott Circle and 3801 Purchase Street, pipes broke in each of the homes, causing floods. Liscio then hired Cordasco to perform emergency clean-up work at 28 Brae Burn and 28 Scott Circle. (Ind't ¶ 35). In addition, Cordasco and Liscio planned to break a pipe at 4350 Purchase for the purpose of submitting false and misleading claims to an insurance company. (Ind't ¶ 34).

All of the defendants participated in the submission of false insurance claims for water damage from a broken pipe at 28 Brae Burn. (Ind't ¶ 33). DeVito was living in the house at the time of the pipe break. After the house was flooded, DeVito submitted fraudulently inflated claims for damage to his personal

possessions, including his art work, rugs and interior decorating services; and DeVito and DiDonato submitted a fraudulently inflated claim for reimbursement for DeVito's "alternative living expenses" during the time when the house was being repaired. DeVito also submitted a fraudulently inflated claim for repairs to the property, which the insurance company was falsely told would be done by an independent contractor - Encantada Realty Group. As a result of these false and misleading representations, DeVito received hundreds of thousands of dollars from the insurance company in connection with the flood at 28 Brae Burn. All of the fraudulently obtained insurance proceeds were deposited in the PREG bank account for DeVito's benefit. (Ind't ¶ 36). Cordasco received approximately \$98,000 for emergency repair and restoration services. Liscio also expected DeVito to pay him for his participation in the conspiracy.

Finally, Count 13 of the Indictment charges DeVito alone with obstructing justice in connection with his sentencing in a prior federal case, United States v. Pasquale Parello, et al., 01 Cr. 1120 (RLC) (the "Parello Indictment"). In that case, DeVito was charged with racketeering and racketeering conspiracy, as well with substantive counts of bank fraud relating to two pieces of residential real estate. The bank fraud counts charged DeVito with committing mortgage fraud on banks that made him loans for the purchase of 3801 Purchase Street, a property which is also a subject of the scheme to defraud alleged in this

Indictment, and for 3747 Purchase Street, Purchase, New York ("3747 Purchase Street"). The Parello Indictment also contained forfeiture allegations, and the Government consequently placed liens on 3801 Purchase Street and 3747 Purchase Street.

DeVito ultimately pled guilty to two counts in the Parrello Indictment, including one count charging him with conspiracy to participate in the affairs of a racketeering enterprise (Count One) and one count of bank fraud relating to loans obtained against 3801 Purchase Street (Count 78). Prior to his sentencing, DeVito sold both 3801 Purchase Street and 3747 Purchase Street, with the Government's consent, on the condition that he not earn any profit from the sale of those properties.

Subsequently, in preparation for his sentencing, DeVito submitted an affidavit describing his net worth to the United States Probation Office. In that affidavit, DeVito declared that he earned no income from the sale of 3747 Purchase Street. Count 13 of the present Indictment alleges that DeVito's statement was false. (Ind't ¶ 27). In fact, nearly \$700,000 in profit from the sale of 3747 Purchase Street was deposited into the PREG account, which was controlled by DeVito.

ARGUMENT

I. The Court Should Deny The Defendants' Motions To Sever the Insurance Fraud Counts

Defendants DeVito, Cordasco and Liscio move for severance of Counts Fourteen and Fifteen, based on Rules 8 and

14(a) of the Federal Rules of Criminal Procedure.¹ Specifically, the defendants argue that those counts, which relate to the alleged conspiracy to commit insurance fraud, are improperly joined with the other counts in the Indictment because they are "separate and distinct sets of conspiracy and related substantive crimes." (Cordasco Mem. at 5). Cordasco and Liscio also argue that they should be severed from DeVito and DiDonato because of the risk of "spillover prejudice." (Id. at 17-23). The defendants' severance motions should be rejected. Counts Fourteen and Fifteen are properly joined with the other counts in the Indictment and there is no basis for severance.

A. Applicable Law

Rule 8(b) of the Federal Rules of Criminal Procedure sets forth the standard that governs when joinder both of offenses and defendants is permitted. United States v. Turoff, 853 F.2d 1037, 1043 (2d Cir. 1988). The Second Circuit has interpreted Rule 8(b) to allow joinder of offenses and defendants where two or more persons' criminal acts are "'unified by some

¹

In the alternative, Cordasco requests a severance of himself and Liscio, on the one hand, from DeVito and DiDonato, on the other. Accordingly, such a severance would result in two trials - (1) a trial of DeVito and DiDonato on all counts, including Counts Fourteen and Fifteen; and (2) a trial of Liscio and Cordasco on only Counts Fourteen and Fifteen. Cordasco does not argue that the defendants are improperly joined. Thus, Cordasco seeks a discretionary severance pursuant to Rule 14. For the reasons set forth above, Cordasco's alternative motion should be denied. Cordasco and Liscio have failed to identify any prejudice that they would face at a joint trial, and the proposed severance would result in the needless repetition of testimony and argument.

substantial identity of facts or participants' or 'arise out of a common plan or scheme.'" United States v. Feyrer, 333 F.3d 110, 114 (2d Cir. 2003) (quoting United States v. Attanasio, 870 F.2d 809, 815 (2d Cir. 1989)). See, e.g., United States v. Cervone, 907 F.2d 332 (2d Cir. 1990) (proper joinder of eighteen defendants in a 102-count indictment with a variety of labor racketeering charges, as well as related charges of obstruction of justice, bribery, and making false statements); United States v. Weisman, 624 F.2d 1118 (2d Cir. 1980) (proper joinder of charges and defendants where ten defendants charged with a variety of offenses relating to creation, operation, and bankruptcy of a theater).

Even with proper joinder under Rule 8, Federal Rule of Criminal Procedure 14(a) allows the Court to grant a severance of defendants' joint trial "[i]f it appears that a defendant or the government is prejudiced by a joinder." Fed. R. Crim. P. 14(a). However, a defendant seeking a severance under Rule 14 bears a heavy burden. Relief under Rule 14 is available only when a defendant can demonstrate that he will be "so severely prejudiced" by a joint trial that he will "in effect [be] denied a fair trial" if he is tried jointly with his co-defendants. United States v. Minicone, 960 F.2d 1099, 1110 (2d Cir.), cert. denied, 503 U.S. 950 (1992); see also United States v. Cervone, 907 F.2d 332, 341 (2d Cir. 1990) (to require severance, prejudice of joint trial must be so substantial as to amount to a

miscarriage of justice), cert. denied, 498 U.S. 1028 (1991). The prejudice must be so "substantial" that there exists "a serious risk that a joint trial would compromise a specific trial right of the moving defendant or prevent the jury from making a reliable judgment about guilt or innocence." United States v. Rosa, 11 F.3d 315, 341 (2d Cir. 1993). It is not enough for a defendant to show that he "may have a better chance of acquittal in [a] separate trial[]." Zafiro v. United States, 506 U.S. 534, 540 (1993); see also United States v. Panza, 750 F.2d 1141, 1149 (2d Cir. 1984) (explaining that prejudice must be "sufficiently severe to outweigh the judicial economy that would be realized by avoiding lengthy multiple trials").

Even when a risk of substantial prejudice from being tried with co-defendants arises, severance is not automatic. "Rule 14 does not require severance even if prejudice is shown; rather it leaves the tailoring of the relief to be granted, if any, to the district court's sound discretion." Zafiro, 506 U.S. at 539. The Supreme Court has further explained that "less drastic measures, such as limiting instructions, often will suffice to cure any risk of prejudice." Id. (citing Richardson v. Marsh, 481 U.S. 200, 211 (1987)).

Thus, severance is not required merely because evidence of the criminal activities of a defendant's co-defendant will be admitted at a joint trial. See United States v. Cardascia, 951 F.2d 474, 482-83 (2d Cir. 1991) (no due process violation where

defendants were forced to sit through a month of unrelated evidence of a separate conspiracy involving co-defendants); United States v. Casamento, 887 F.2d at 1153, 1167-68 (1989) (minor defendants, against whom the direct evidence consisted of only a few tape recorded telephone calls, properly tried as part of multi-defendant trial which lasted seventeen months); United States v. Barton, 647 F.2d 224, 241 (2d Cir. 1981) (defendant charged only with obstruction of justice was properly denied a severance from co-defendants charged with bombings, attempted bombings, and racketeering).

As the Second Circuit has recognized, "differing levels of culpability and proof are inevitable in any multi-defendant trial and, standing alone, are insufficient" to require severance. United States v. Carson, 702 F.2d 351, 366-67 (2d Cir. 1983) (citations omitted). Similarly, "the fact that evidence may be admissible against one defendant but not against another defendant does not necessarily require a severance." United States v. Losada, 674 F.2d 167, 171 (2d Cir. 1982). Where the evidence against the defendant is relatively simple and the Court properly instructs the jury to afford each defendant separate consideration, severance is not required. See id.

B. Discussion

The insurance-fraud related counts are properly joined to the other counts in the Indictment. The defendants' activities in connection with the fraudulent real estate

investment scheme, charged in Counts 1 through 12, and the insurance fraud scheme, charged in Counts 14 and 15, arose out of a common scheme and plan to extract as much money as possible out of a group of multi-million dollar residential properties located in Westchester, New York. The plan was organized and led by DeVito. While his co-defendants and other co-conspirators also expected to profit from the scheme, the vast majority of the illegal proceeds were funneled to DeVito for his personal benefit. As an initial step, DeVito, DiDonato and others, including Daniel Forbes, John DeBello, and Joseph Lamanna, fraudulently obtained mortgages and home loans so that they could purchase and gain control over properties that they otherwise would not have been able to purchase and finance. (Ind't ¶ 12). The defendants then used those houses in a number of different ways to fraudulently obtain millions of dollars: they fraudulently refinanced the mortgages on the properties (Ind't ¶ 22); they orchestrated "flips" of certain properties to obtain additional fraudulently inflated loans, (Ind't ¶ 7); they "cashed out" on certain properties by taking additional private loans against the already fraudulently-inflated sale price of the properties, (Ind't ¶ 11); they submitted and planned to submit fraudulently inflated insurance claims for water damage caused by pipe breaks (Ind't ¶¶ 31, 34); and they submitted a fraudulently inflated insurance claim for reimbursement for DeVito's "alternative living expenses" after one property was damaged by a

flood. (Ind't ¶¶ 39 (b), (f)).

Thus, Cordasco's assertion that "there are no allegations that the purpose of purchasing these homes was to enable the participants to bilk insurance companies," misses the mark. (Cordasco Mem. at 8). Bilkings insurance companies and committing mortgage fraud were two interrelated means used by the defendants to illegally profit from their control over these homes.

The temporal and factual interconnection between the defendants' fraudulent real estate investments and their insurance fraud can clearly be seen in the allegations concerning 28 Brae Burn. The Indictment alleges that in July 2002, DeVito attended a closing for a fraudulently-obtained mortgage on 28 Brae Burn (Ind't ¶ 15(c)). In August 2002, DeVito moved into 28 Brae Burn as his primary residence (Ind't ¶ 15(d)). Subsequently, on September 29, 2002, DeVito received proceeds from another fraudulently-obtained loan on 28 Brae Burn. (Ind't ¶ 15(f)). Meanwhile, at DeVito's direction, Liscio sold an insurance policy to the nominal owner of 28 Brae Burn and an insurance policy to DeVito for his personal belongings while he lived at 28 Brae Burn. (Ind't ¶ 32). In January 2003, Liscio reported to an insurance company that 28 Brae Burn had suffered water damage, and began the process of filing a claim on behalf of DeVito and the nominal owner of the property. (Ind't ¶ 39(a)). Cordasco performed emergency clean up work on 28 Brae

Burn after the flood, and he submitted a fraudulently inflated appraisal for certain of DeVito's personal possessions as part of DeVito's insurance claim. (Ind't ¶¶ 35, 39 (c)). Proceeds from both the fraudulently obtained mortgages and the fraudulently inflated insurance claims on 28 Brae Burn were deposited into bank accounts for DeVito's benefit. Thus, the mortgage and insurance fraud that the defendants committed using 28 Brae Burn were part of a single, continuous scheme to illegally profit from their control over the house.

Similarly, the insurance fraud and other counts in the Indictment are "'unified by some substantial identity of facts or participants.'" Feyrer, 333 F.3d at 114. The mortgage and insurance fraud counts share two of the four defendants remaining in the case - DeVito and Didonato - as well as a third defendant, Daniel Forbes, who was charged in an underlying indictment. As discussed above, both sets of charges also involve the same distinct group of residential properties controlled by DeVito. In order to execute both the mortgage and insurance frauds, DeVito, DiDonato and their co-conspirators used certain individuals as nominal owners of the various properties to submit applications and claims on their behalf. Common participants included, among others, John DeBello, Joseph LaManna and Sherri DeVito, who is DeVito's wife. In addition, DeVito used entities such as PREG and Encantada Realty to carry out the various frauds charged in the Indictment. Finally, much of the same proof will

be offered for the insurance and mortgage fraud charges, including testimony from the same cooperating witness, testimony from the original developer of 28 Brae Burn, various bank records and other financial documents concerning the distribution of proceeds, and evidence explaining the relationships between DeVito and DiDonato and the various properties.² Thus, the insurance fraud counts are properly joined with the other counts in the Indictment.

The defendants' request for severance pursuant to Rule 14 is similarly meritless. Neither Cordasco, Liscio, nor DeVito can satisfy the "'extremely difficult burden,'" Casamento, 887 F.2d at 1149, of showing that he would be so prejudiced by a joint trial that he would be denied a constitutionally fair trial. See United States v. Rosa, 11 F.3d 315, 341 (2d Cir. 1993).

Cordasco and Liscio primarily argue that because they are not charged in the mortgage-fraud related counts of the Indictment, they will be substantially prejudiced at a trial where evidence of bank fraud and obstruction of justice will be admitted against their co-defendants. However, any concern that the jury will not be able to segregate the evidence between the

² In addition, DeBello and LaManna remain potential witnesses for both the mortgage fraud and insurance fraud charges. Even if the Government chooses not to call either of them in its case-in-chief, they could be witnesses for the defense or in rebuttal. Contrary to DeVito's assertion, (DeVito Mem. at 20), both are available to testify at trial.

defendants charged with participating in both mortgage and insurance fraud, from the defendants charged only with insurance fraud is unfounded. The Second Circuit has repeatedly recognized that "the fact that evidence may be admissible against one defendant but not against another does not necessarily require a severance." United States v. Carson, 702 F.2d at 367; see also United States v. Losada, 674 F.2d 167, 171 (2d Cir. 1982).

Moreover, any conceivable spillover prejudice that may occur can and will be corrected by the Court's instruction that the jury consider the guilt of each defendant individually - an instruction that jurors are presumed to be able to follow.

United States v. Potamitis, 739 F.2d 784, 790 (2d Cir. 1984); see also United States v. Lasanta, 978 F.2d at 1307 ("[t]he district court countered any possible spillover with specific instructions to the jury . . . that the jury should consider the evidence separately against each defendant"); United States v. Zackson, 6 F.3d at 922.

Moreover, the evidence against Liscio and Cordasco is relatively straightforward. Liscio was an insurance broker who sold insurance policies to cover various homes under the control of DeVito, and he assisted in filing an inflated insurance claim. Cordasco provided emergency clean-up services for flood damage and submitted information in support of inflated claims for water damage to personal property. Liscio and Cordasco also planned to break a pipe at one of the homes in order to file additional

fraudulent insurance claims. There will be no evidence suggesting that they were involved in the purchasing or financing of any of the homes. Thus, the evidence against Liscio and Cordasco is "simple and straightforward for the jury to consider without any significant spillover effect." Losada, 674 F.2d at 171. An appropriate limiting instruction will cure any risk of prejudice. See id.; see also United States v. Boykins, 9 F.3d 1278, 1289-90 (7th Cir. 1993) (affirming denial of severance where defendant claimed prejudice arising from "spillover" effect of guns and drugs possessed by co-defendants in the same vehicle).

In sum, the interests of efficiency and judicial economy weigh strongly in favor of a joint trial in this case. Zafiro, 506 U.S. at 537. Holding a separate trial for the insurance fraud charges would result in the needless repetition of testimony and argument. Given the absence of any identifiable prejudice that Cordasco or Liscio face at a joint trial, their motion for severance of Counts Fourteen and Fifteen should be denied.

II. DeVito's Motion For A Severance Based On Alleged Prejudice Arising From Incriminating Statements Made By Co-Defendants Should Be Denied

DeVito erroneously relies on Bruton v. United States, 391 U.S. 123 (1968), as a basis for severing his trial from that of his co-defendants, Liscio, Cordasco, and DiDonato. DeVito anticipates that the Government will seek to offer at trial

various consensual recordings of conversations that a confidential informant had with Liscio, Cordasco and others. DeVito argues that the statements made in those recordings cannot be admitted against him, and therefore their introduction at a joint trial would violate his rights under the Confrontation Clause.

DeVito's argument fails for several reasons. First, substantial portions of the recordings consist of admissions by co-defendants that do not, on their face, implicate DeVito in any crime and can be offered against his co-defendants at a joint trial with an appropriate limiting instruction. Second, other statements on the recordings are admissible against DeVito pursuant to Federal Rule of Evidence 804(b) as statements against interest. Third, the Government will redact the recordings so as to excise any non-relevant portions, including certain references to DeVito and his family engaging in organized crime, gambling, and other "sordid activities," to which DeVito objects. (DeVito Mem. at 7). Accordingly, DeVito's motion on this point should be denied.

A. The Consensual Recordings

From approximately November 2004 through February 2005, John DeBello, working at the direction and under the supervision of the FBI, made numerous consensual recordings of telephone conversations and meetings with Liscio and Cordasco. The Government presently intends to offer redacted portions of, at

most, five of these recordings at trial: (1) a November 10, 2004 meeting between DeBello and Liscio at Liscio's office; (2) a January 29, 2005 meeting between DeBello and Liscio at Liscio's office; (3) a February 2, 2005 meeting with DeBello, Liscio and Cordasco at 4350 Purchase; (4) a February 8, 2005 meeting with DeBello, Liscio and Robin Midollo at 4350 Purchase; and (5) a February 16, 2005 meeting with DeBello, Liscio and Cordasco at Liscio's office. Draft transcripts of these recordings are attached for the Court's review.

The bulk of the conversation contained on these recordings concerns a plan by Liscio and Cordasco, with the assistance of Robin Midollo, to break a water pipe at 4350 Purchase in order to submit fraudulent insurance claims for water damage. Three of the recordings directly relate to overt acts identified in the Indictment in furtherance of the defendants' conspiracy to commit insurance fraud - specifically the January 29, 2005 meeting in which Liscio described how he and Cordasco intended to break a pipe at 4350 Purchase for the purpose of fraudulently obtaining insurance proceeds, (Ind't ¶ 39 (g)); the February 2, 2005, meeting at 4350 Purchase in which Liscio and Cordasco discussed how to cause water damage to the house, (Ind't ¶ 39 (h)); and the February 8, 2005 meeting at 4350 Purchase in which Cordasco brought Midollo to the house for the purpose of identifying which pipe to break, (Ind't ¶ 39 (i)).

Liscio and Cordasco's plan to intentionally flood 4350

Purchase in order to submit insurance claims for water damage to the home and its contents was one part of the defendants' broader conspiracy to commit insurance fraud as charged in the Indictment. As explained above, DeVito, DiDonato, Liscio and Cordasco previously submitted false insurance claims for water damage caused by a broken pipe at 28 Brae Burn. (Ind't ¶ 33). Another broken water pipe also flooded 28 Scott Circle in January 2004. Liscio filed insurance claims in connection with that flood, and Cordasco performed some of the clean-up work, for which he was reimbursed by the insurance company. Liscio and Cordasco, thus, planned to continue the conspiracy by intentionally flooding 4350 and submitting fraudulent insurance claims on yet another home.

During the recorded conversations, Liscio and Cordasco, at times, also refer to the defendants' submission of fraudulent insurance claims in connection with the flood at 28 Brae Burn. Their inculpatory statements include references to DeVito's involvement in the insurance fraud scheme at that time. For example, Liscio repeats several times that he expected DeVito to pay him approximately \$50,000 for helping DeVito submit fraudulent insurance claims on 28 Brae Burn:

It was no skin off my nose. Because I looked at the whole picture . . . John [DeBello] owned the house. Dom's [DeVito] got the contents. I'm gonna put the claim through (UI) okay? He [DeVito] was gonna take care of me. You know? I had no fucking problem with that.

(11/10/04 Tr. at 34). Similarly, Cordasco explains that he helped DeVito submit fraudulently inflated claims for the contents of 28 Brae Burn:

The content stuff that he [DeVito] had bought right off the Internet. I got the guy to appraise it at like over hundred thousand dollars. They were worth like fucking five thousand dollars. They were shit.

(2/8/05 Tr. at 24).

A. Applicable Law

1. Bruton Does Not Apply to Statements That Are Not Facially Incriminatory of the Defendant

In Bruton v. United States, 391 U.S. 123 (1968), the Supreme Court held that a defendant is deprived of his rights under the Confrontation Clause when a co-defendant's statement naming him as a participant in the crime is admitted at their joint trial, notwithstanding a jury instruction that the statement can only be considered against the defendant who made it. However, the rule delineated in Bruton has since been circumscribed by the Supreme Court. In Richardson v. Marsh, 481 U.S. 200, 208-09 (1987), the Supreme Court explicitly rejected a "contextual" approach to evaluating a post-arrest statement, and focused instead on whether the co-defendant's statement alone was "facially incriminating" as to the defendant.

The Second Circuit has repeatedly emphasized the narrow scope of Bruton, stressing that "[t]he violation occurs only when the statement is 'clearly inculpatory' of the defendant and 'vitally important' to the prosecution." United States v. Marin,

669 F.2d 73, 83 (2d Cir. 1982) (quoting United States v. Knuckles, 581 F.2d 305, 313 (2d Cir. 1978)); accord United States v. Sacco, 563 F.2d 552, 556 (2d Cir. 1977); United States v. Wingate, 520 F.2d 309, 313 (2d Cir. 1975). Thus, a limiting instruction will be sufficient in the absence of highly incriminating hearsay that is important to the Government's case. See United States v. Rubio, 709 F.2d 146, 154-55 (2d Cir. 1983) (limiting instruction sufficient where post-arrest statement naming the defendant did not directly inculcate him in the crime and referred principally to facts to which another witness testified; noting that "[t]he Supreme Court in Bruton has indicated that such a careful foundation and curative instruction, although ineffective against 'powerfully incriminating' statements, may be effective in less severe circumstances").

Indeed, it is well settled that a co-defendant's statement violates the Sixth Amendment "only if the statement, standing alone, would clearly inculcate [the defendant] without introduction of further independent evidence." United States v. Wilkinson, 754 F.2d 1427, 1435 (2d Cir. 1985) (citations omitted); accord United States v. Tutino, 883 F.2d 1125, 1135 (2d Cir. 1989); see also United States v. Walker, 148 F.3d 518, 522 (5th Cir. 1998) ("Bruton only applies to out-of-court statements that are 'facially incriminating'") (citations omitted). Where the jury can only link the defendant to a crime by relying on

other evidence in the trial, Bruton does not apply. See, e.g., United States v. Wilkinson, 754 F.2d at 1435 (where co-conspirator's redacted post-arrest statement stated she began working at defendant's restaurant and that for a three-to-four-month period during her employment she sold \$200 worth of cocaine, defendant's Bruton rights were not violated because the statement, without additional evidence, did not connect defendant to the crime); United States v. Slocum, 695 F.2d 650, 655-56 (2d Cir. 1982) (no Bruton violation where nontestifying co-defendant's statement implicated a company and the evidence showed the defendant controlled the company's activities); United States v. Walker, 148 F.3d at 522-23 (reference to the defendant as the co-conspirator's "home boy" not sufficiently direct to trigger a Bruton violation).

2. A Co-Defendant's Statements Against Interest Are Admissible Against A Defendant

Federal Rule of Evidence 804(b), which sets forth exceptions to the hearsay rule, provides that statements "are not excluded by the hearsay rule if the declarant is unavailable as a witness," and if the statement:

at the time of its making . . . so far tended to subject the declarant to civil or criminal liability . . . that a reasonable person in the declarant's position would not have made the statement unless believing it to be true.

Federal Rule of Evidence 804(b) (3).

In Williamson v. United States, 512 U.S. 594, 600-01

(1994), the Supreme Court held that the declarations of a criminal that implicate another person are admissible to the extent that they are self-inculpatory. 512 U.S. at 599. The Court specifically noted that the mere fact that another person is mentioned in the declarant's statement does not prevent the statement from being self-inculpatory:

"Sam and I went to Joe's house" might be against the declarant's interest if a reasonable person in the declarant's shoes would realize that being linked to Joe and Sam would implicate the defendant in Joe and Sam's conspiracy.

Accordingly, in United States v. Matthews, 20 F.3d 538 (2d Cir. 1994), the Second Circuit held that statements by Matthews to his girlfriend concerning the criminal activities of himself and his co-conspirators could be admitted against the co-conspirators at trial through testimony from the girlfriend under Fed. R. Evid. 804(b)(3). The Second Circuit explained that:

[I]f the [out-of-court statement] is made to a person whom the declarant believes is an ally rather than a law enforcement official, and if the circumstances surrounding the portion of the statement that inculcates the [trial] defendant provide no reason to suspect that that inculpatory portion is any less trustworthy than the part of the statement that directly incriminates the declarant, the trustworthiness of the portion that inculcates the [trial] defendant may well be sufficiently established that its admission does not violate the Confrontation Clause.

20 F.3d at 546. See also United States v. Sasso, 59 F.3d 341, 348 (2d Cir. 1995) (no Confrontation Clause violation where nontestifying co-defendant's out-of-court statements inculcating

defendant and himself did not attempt to shift blame and were made in private and not to curry favor with authorities); United States v. Bakhtiar, 994 F.2d 970, 978 (2d Cir. 1993); United States v. Rahme, 813 F.2d 31, 36 (2d Cir. 1987) (trustworthiness indicated in part by fact that even portion that inculpated defendant was against the declarant's penal interest); United States v. Katsougrakis, 715 F.2d at 776 (trustworthiness shown by lack of any "persuasive showing that [the declarant] had an ulterior motive when conversing with his friend").

Several Courts of Appeal have held that statements by person A to person B, whom A believes to be an ally, that are incriminatory of person A and person C are admissible under Rule 804(b)(3). See e.g., United States v. Westmoreland, 240 F.3d 618, 627 (7th Cir. 2001) (declarant's self-inculpatory statements to his son that also referred to defendant's crimes met Lilly's requirement that "particularized guarantees of trustworthiness" be present); United States v. Boone, 229 F.3d 1231, 1233 (9th Cir. 2000) (taped conversation between Williams and his girlfriend in which Williams implicated himself and Boone in armed robbery was admissible against Boone at trial); United States v. Tocco, 200 F.3d 401, 416 (6th Cir. 2000) (declarant's conversation with his son concerning declarant's own criminal activities and those of the defendant admissible under 804(b)(3) as particularly trustworthy). Precisely the same situation is present here.

The Second Circuit has reached similar holdings in United States v. Lieberman, 637 F.2d 95, 103 (2d Cir. 1980), United States v. Stratton, 779 F.2d 820, 828-29 (2d Cir. 1985) and United States v. Kusek, 844 F.2d 942, 950-51 (2d Cir. 1988). The evidence in those cases included surreptitious audio and video tape-recordings made by a cooperating witness of unarrested co-conspirator "A", in which "A" made statements inculcating himself and co-conspirator "B." In each case, the Second Circuit held that the recordings were admissible at "B's" trial as statements against "A's" penal interest. In each case, the Second Circuit noted that "A's" statements against interest were particularly reliable because "A" "believed [he was] talking to co-conspirators rather than the authorities . . . [and] therefore had no reason to lie." Stratton, 779 F.2d at 829. See also United States v. Badalamenti, 626 F. Supp. 658, 660 (S.D.N.Y. 1986).

B. Discussion

In this case, the Government will substantially redact the five consensually-recorded conversations that it will offer at trial. The unredacted recordings are rather lengthy, and contain a fair amount of idle chit-chat, gossip, and irrelevant banter. The Government will seek to admit only those portions of the recorded conversations in which either Liscio or Cordasco discuss their plans to flood 4350 Purchase, or the events surrounding floods at previous houses in which they were

personally involved. In light of these redactions, DeVito's motion for severance is meritless.

As an initial matter, DeVito's request for severance from DiDonato lacks any basis in law or fact. The Government does not intend to offer any recordings containing statements made by DiDonato. Therefore, DeVito's motion for severance from DiDonato should be summarily denied.

Second, to the extent that the redacted recordings will contain statements by Liscio and Cordasco about their plan to flood 4350 Purchase and submit fraudulent insurance claims, those statements do not require severance. As DeVito repeatedly notes, "none of these discussions mention DeVito at all." (DeVito Mem. at 7 (discussing Nov. 10, 2004 recording); see also id. at 8-9 (discussing Jan. 29, 2005 recording); id. at 10 (discussing Feb. 2, 2005 recording); and id. at 11 (discussing Feb. 8, 2005 recording)). There is nothing in these portions of the recordings that could be construed as facially incriminating to DeVito nor that - standing alone - connects DeVito to the respective statements. Should the Court admit these statements into evidence, the Government consents to a proper limiting instruction and will submit a proposed limiting instruction along with its other proposed jury instructions.

Third, to the extent that portions of the redacted recordings will contain statements by Liscio or Cordasco concerning DeVito's submission of fraudulent insurance claims for

28 Brae Burn, those statements are admissible against DeVito under Fed. R. Evid. 804(b)(3) because, when made, they were against his co-defendants' penal interest, and they contain particular guarantees of trustworthiness. These statements by Liscio and Cordasco are clearly self-inculpatory because they concern such things as how much they expected to get paid by DeVito for committing the fraud, and how they assisted DeVito in submitting inflated claims for damage to personal property. More generally, Liscio's and Cordasco's statements about 28 Brae Burn demonstrate their respective knowledge of the falsity of the information that DeVito and other co-conspirators were submitting to the insurance company. See e.g., United States v. York, 933 F.2d 1343, 1360 (7th Cir. 1991) ("statements that demonstrate a declarant's inside knowledge of a crime are . . . against the defendant's penal interest"), overruled on other grounds, 182 F.3d 562 (7th Cir. 1999). Furthermore, Liscio's and Cordasco's statements contain particular guarantees of trustworthiness because they were made in private to a person who they believed was a co-conspirator, and were not part of an attempt to minimize their criminal conduct or shift blame to DeVito or anyone else. See Sasso, 59 F.3d at 348; Matthews, 20 F.3d at 546.

Finally, Crawford v. Washington, 541 U.S. 36 (2004), is completely inapposite to this case. DeVito contends that DeBello's statements on the recordings are "testimonial" statements that violate his Confrontation Clause rights.

However, DeBello's questions and statements will not be offered for their truth, but rather merely to provide context to the recorded statements of Liscio and Cordasco. Accordingly, they are not "testimonial," and Crawford does not apply.

III. The Court Should Deny DeVito's Motion To Sever the Obstruction Count But Allow A Bifurcated Trial

DeVito also moves to sever Count Thirteen, which charges him with obstruction of justice, based on Rules 8 and 14(a) of the Federal Rules of Criminal Procedure. Specifically, DeVito contends that this Count is misjoined with the other counts in the Indictment and that a joint trial would be unfairly prejudicial because it will "unnecessarily reveal to the jury [his] prior conviction for bank fraud." (DeVito Mem. at 24).

DeVito's severance motion should be denied. Count Thirteen is properly joined with the other counts because they all arise out of a common scheme or plan. As explained in greater detail in the Government's Memorandum of Law in Opposition to the Defendants' Pre-Trial Motions, Count Thirteen is based upon DeVito falsely reporting to the Court and to the Department of Probation that he earned no income from the sale of 3747 Purchase Street. In fact, the evidence will show that DeVito sold 3747 Purchase Street to a woman named Nancy Armano for approximately \$960,000, and, on the very same day as the DeVito-Armano "sale," 3747 Purchase Street was sold from Armano to an individual named Albert Tarantino for \$1,700,000. Nearly

\$700,000 in proceeds from the Armano-Tarantino sale of 3747 Purchase Street was deposited into the PREG bank account controlled by DeVito. Thus, in order to commit the obstruction, DeVito utilized one of the very same "flips" that he and DiDonato used in the real estate investment fraud charged in Counts 1 through 12. Moreover, in order to prove the obstruction count, the Government will offer much of the same proof as for the other charges, including testimony from the same cooperating witness, various bank records and other financial documents concerning the distribution of proceeds, and evidence explaining the relationships between DeVito and the various properties.

However, as DeVito notes, the Government will also seek to offer evidence concerning his prior sentencing proceeding in order to prove that he obstructed justice in that case. The Second Circuit has "held that joinder of an ex-felon count with other charges requires either severance, bifurcation, or some other effective ameliorative procedure." United States v. Jones, 16 F.3d 487 (2d Cir. 1994). In such circumstances, a jury instruction is generally insufficient to mitigate the prejudice caused by the evidence of a prior conviction. Id. at 493. Nevertheless, where evidence of a defendant's prior felony conviction would otherwise be admissible to prove other counts in the Indictment, severance may not be required because "the jury would have been exposed to that evidence [in any case]." United States v. Lang, 220 Fed. Appx. 48 (2d Cir. 2007).

In this case, the Government expects that evidence of DeVito's prior mortgage fraud will be admitted as background to the real estate investment fraud conspiracy charged in Counts 1 through 12, to explain the relationship of trust and confidence between DeVito and the cooperating witness, and to prove DeVito's knowledge, intent and opportunity to commit bank fraud, among other things. Nevertheless, to ameliorate any prejudice that may be suffered by DeVito, the Government consents to a limited bifurcation of the trial. The Government proposes that it be allowed to offer evidence concerning the real estate and financial transactions for 3747 Purchase Street during the initial portion of the trial, but the introduction of evidence related to DeVito's sentencing proceedings, including submissions to Probation and the Court, will be delayed until the bifurcated portion of the trial. The interests of efficiency and judicial economy support such a bifurcated proceeding, as opposed to a complete severance of Count 13.

CONCLUSION

For the reasons set forth above, the Court should deny the defendants' motions for severance, but provide for a limited bifurcation of trial on Count Thirteen.

Dated: July 7, 2008
New York, New York

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By: /s/ Katherine Goldstein
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AFFIRMATION OF SERVICE

KATHERINE R. GOLDSTEIN, pursuant to Title 28, United States Code, Section 1746, hereby declares under the penalty of perjury:

That I am an Assistant United States Attorney in the Office of the United States Attorney for the Southern District of New York.

That, on July 7, 2008, I caused one copy of the within Government's Memorandum of Law in Opposition to Defendants' Severance Motions to be delivered by Federal Express to:

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: New York, New York
July 7, 2008

/s/ Katherine Goldstein
KATHERINE R. GOLDSTEIN

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

26 Federal Plaza
New York, New York 10278

File Number:	281A-NY-289758
Date:	1/29/05
Time:	3:00 PM
CD Number:	Session 1
Agent:	SA MICHAEL HARTNETT SA TOM KRALL

Participants:

JOHN DEBELLO	JD
JOHN LISCIO	JL

Abbreviations:

Unintelligible	UI
Inaudible	IA
Phonetic	PH

/kat

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This is SA B, SA Michael B. Hartnett. The time is approximately 3:00 PM. The date is January 29th, 2005, going to make a consensual recording between John DeBello and John Liscio.

(TRAFFIC NOISES)

(CAR DOOR OPENING AND CLOSING)

JD Hello. Oh, (laughs) can't see ya sitting there like a ghost.

JL Dude.

JD What's going on? How are ya, how ya feeling?

JL I'm okay.

JD Yeah?

JL Just started (moaning).

JD Wad ya think I was gonna let you down today, no ya know during the week I get busy. Running around. How ya been?

JL Sit. Today I'm just start to feel better.

JD Yeah, alright.

JL Today I'm just startin' to ah...

JD Sit on the couches?

JL Yeah.

JL Put (UI) ...

JD Oh good.

JL Had a little fuck up last week.

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JD Oh yeah

JL Some day's I'm, I got things (UI) so fucked up I'm in the ah, seven o'clock in the morning, I take my daughter to school okay take the garbage out my garage door breaks. My wife is under the garage door, I grab the garage door, I pull all the muscles in my chest. John.

JD Yeah you reacted yeah.

JL A fucking nightmare.

JD Yeah you reacted like yeah yeah.

JL Yeah, yeah. To the point where between the cold air and the muscles I called up my doctor and I says, I said doctor I says ah, I got this pain on the right side he goes call, 911, go to the hospital right now. A, I start to have an anxiety attack. I thought he was gonna tell me take some Motrin you'll be okay. He goes

JD Oh I guess what after what happened

JL Pulled all the muscles in my chest.

JD Unbelievable.

JL Horrible, horrible yeah

JD You need a little shock collar or something when you do something strenuous.

(LAUGHING)

JL Tough to do ya know why because my kids don't wanna go out and shovel snow ya know. So I go out to try to make a little path I get a little pain, that's it.

JD I think, I think that's not right, don't do that.

JL No more, no more.

JD Yeah.

JL No more.

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JD I'm sure your doctor's gonna tell you don't, don't shovel

JL Oh he told me don't shovel for the rest of your life he said.

JD No that's how people die from heart attacks right there. So whadda ya gonna do. How've you been?

JL Alright.

JD Alright yeah me too just working, surviving somehow.

JL Well there's nobody slashing your tires. (UI)

JD Ah were.

JL Were?

JD Yeah.

JL I tell ya something. It, it

JD He's a piece of work ya know.

JL Yeah.

JD He's a piece of work ya know.

JL Whadda ya wanna do? What's the, what's the objective?

JD Well I don't know you, you tell me where we gonna go with this? Ya know, look ah

JL You got a brand new house built.

JD Right.

JL I got my house too, I mean there's my house we have a sprinkler system and I have my policy with you.

JL Whadda ya wanna do?

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JD Ya know I, if I got

JL What's going through ya head?

JD I'll tell ya what's going through my head is a couple of things. First, ya know I don't wanna get greedy like Dom did. Ya know what I mean?

JL Well what are you looking to do? Ya looking to

JD If I can make a couple mortgage payments I'll be happy. Ya know ah, if I made fifty thousand dollars I'd be excited. Ya know what I mean? I don't know, what's your take on it I mean? I mean ya know, seven hundred thousand dollar claim and what the hell's that?

JL (UI) ...

JD It's crazy.

JL What's my take?

JD Yeah.

JL Nothing (LAUGHING).

JD Whadda ya mean?

JL What on, what for Brae Burn.

JD Oh Brae Burn, yeah, yeah, yeah, yeah, yeah.

JL I got nothing out of that.

JD Yeah. Dan Forbes got paid.

JL I got, I got nothing out of that and I got nothing out of his contents and I, and on top of that I lost the company..

JD So you got screwed all around.

JL I lost my profit sharing at the end of the year, okay? I lost Royal insurance which I had that my father had for fifty years. I lost 'em. And so before all this

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happened I said, ya know Dominick I said, I don't mind , but you gotta do the right thing. He says you could make more money than your profit sharing. So I told him I was making about thirty, forth thousand a year. Okay profit sharing was, ya know with Royal.

JD Yeah. And he didn't give it to ya.

JL I got nothing.

JD He still to give you money on his contents too? And he didn't do that either.

JL No got nothing on the total amount of the claim. I get a certain percentage ... I mean everybody does ya know.

JD Oh is that how it works?

JL It's not just me.

JD No it's the, the broker?

JL Yeah.

JD Oh.

JL Yeah. And he's gotta do the right thing because the claim goes against the broker based on the amount of volume that you have with the company. Ya know.

JD Oh I see, yeah.

JL See I was the general agent with Royal.

JD Right.

JL I'm not a general agent with Chubb.

JD Okay.

JL So I don't care what happens with them.

JD Oh, I gotcha. So I got Chubb at my house. With you.

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JL You got with your house. Right.

JD So what should I do, should I start a policy in Scarsdale I mean, look, look

JL Your house is not in Scarsdale yet.

JD It's not done yet. I don't have a TCO yet so.

JL You gotta remember one thing you got a brand new house.

JD Tell me what does that mean?

JL Something happening is, is rare.

JD Okay.

JL Right now.

JD You mean my ho, Scarsdale house.

JL Scarsdale.

JD Okay.

JL Okay?

JD What about my house I live in that's

JL Is that finished.

JD Scarsdale? No that's what I'm saying I don't even have a TCO that's a whole
nother story.

JL Now Dee was the one who built the house.

JD Well and who's Dee friends with?

JL Whadda ya mean?

JD Dom right.

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JL Yeah right but, I wanna tell you something. He fucked him too.

JD Oh yeah how did that happen?

JL Yeah. He fucked him too.

JD What happened there?

JL Ya know he doesn't talk highly of Dominick either. I'm, I, I, I got very close with Dee.

JD Okay.

JL Ahm, yeah he, he doesn't talk highly. He doesn't talk highly of Dom.

JD Ya know it was very suspicious though that my construction slowed down and stopped when I threw Sherri out of my house. How does that happen?

JL All I know,

JD Well

JL I don't know.

JD Well how did, how did Dominick screw him too, what happened there?

JL Lot of money out of jobs said that, that ahm he did for him. He never got paid.

JD So Dee did jobs for Dom and Dom never paid him well

JL (UI) ...

JD That's Dom's MO obviously.

JL Right, right.

JD Yeah, he's a piece of work man.

JL Ya know now is, is the ah perfect time for broken pipes.

JD Okay.

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JL Ya know.

JD I mean you tell me what has to be done. You wanna come to my house, you wanna look at Scarsdale, you wanna ah, ah, you wanna call your guys.

JL First, first thing you got a brand new location.

JD I mean is that good, bad wh?

JL It's, it's not good right now.

JD Okay.

JL To do anything. Cause first of all, all you have is a builders risk policy on it.

JD Right.

JL That just covers for fire.

JD Right.

JL Covers nothing okay.

JD Right.

JL Okay? Ahm let me speak to somebody.

JD Alright.

JL Let me speak to, to my friend Lou.

JD Who the, the guy Dom

JL Crystal.

JD Crystal yeah.

JL Yeah.

JD He knows

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JL (UI) ...

JD He knows what to do right?

JL He knows everything. Ya know.

JD Did he help, did he help ah, Brae Burn? Lou? Or he did it?

JL No, no, no. No Lou is the one who cleaned it up.

JD Right.

JL No, nobody knew, who did it. Probably Dominick did it.

JD Yeah.

JL Or had somebody do it cause he was in Florida.

JD Yeah. I'll never forget that, man he's a pisser.

JL Oh ... let me tell ya something I'm going out to a dinner and he calls me from Florida, you better get over to my house. The pipe broke and. and ah, ahm. You have a sprinkler system in your house?

JD Yeah. That's what I'm thinking I've got sprinkler system in my house. That's the better house to do then right? We're living in it so it's an owner occupied situation, ya know. So Lou knows what to do, how to set this up? He's good, he's okay you like this guy?

JL He won't do it. He doesn't do the actual damage.

JD Oh okay.

JL He'll, he'll tell you where ya know to have it.

JD To make the damage?

JL To make the damage.

JD But he won't do the damage.

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JL Mm.

JD I gotcha.

JL: You know.

JD Alright. Yeah I mean, but ya know the deal is I'm not Dom so I don't know what to do ya know what I mean like ya know he obviously done this a number of times

JL Oh he got to be a pro at it.

JD He got to be a pro at it right?

JL He got to be a pro at it.

JD Yeah.

JL And ah ya know on top of that made a lot of money off of it and, and ah ya know.

JD Well he did Pur, he did ah Purchase Street at 3801 right, ya said.

JL Not in the house. In the

JD Carriage house?

JL The carriage house. That was another hundred and twenty five thousand.

JD Unbelievable this guy he's, he's amazing.

JL You know, he only had to be out ten, fifteen thousand.

JD What's that?

JL I said the damage only had to been about ten, fifteen thousand.

JD And he collected a hundred and twenty five huh? He's a greedy, little bastard isn't he?

JL Yep

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JD Ya know yeah and then he, he sent ah, Dan Forbes in there, his guy.

JL Dan Forbes yeah and ah I wouldn't, I wouldn't be too surprised about (UI) ya know. Dan Forbes house if something happens.

JD Yeah huh?

JL I just have that feeling.

JD Yeah, yeah. Does he have a policy with you?

JL Yeah.

JD Yeah so then yeah.

JL I have that feeling.

JD Oh yeah. Well he, he learned from the best I guess ...

JL What you don't talk to him no more?

JD Ah Dan Forbes is a scam artist with Dom. Those two are two peas in a pod and Sherri too. Let's be honest.

JL I'm a little surprised at that little twit man she, she ah, she has more fucking enemies now, ya know she was like a wanna be gangster's wife.

JD Yeah.

JL Ya know.

JD We, ya know we realize things too late honestly ya know. But whatever.

JL How's your wife holding up?

JD So so. Ya know it's rough on her I mean.

JL As well as could be expected.

JD You know I work for a living ya know I'm doing fine on my own I don't need this nonsense in my life but ya know. You know the whole deal like look I tried to

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help this kid get on his feet literally. He came to me with his sob story. Ya know and his mother asked me to help him, you know that right? Yeah. So ya know how long do we know, I mean how long do I know his mom?

JL What better way than to go to two best friends.

JD Yeah through his mother.

JL Through his mother.

JD That's exactly what he did so technically Patti set me up.

JL Mm.

JD How about that? You don't think Patti knows what's going on with her kid.

JL I don't know.

JD You don't think his father does?

JL I hate to think that.

JD Tell me about his father. You don't think his father knows he's involved in organized crime?

JL I think his father yeah.

JD Come on I think his father's helping him.

JL Yeah.

JD Right?

JL Yeah. I don't know I got this suspicion that ahm, Patti and ah, Sonny are sitting on all this money.

JD Oh yeah I think so too.

JL Ya know and ah, they're playing so fucking stupid. Ya know.

JD My personal opinion somehow, someway, I don't know this for sure but I, I think

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Sonny introduced Dominick to Patsy somehow. That's my suspicion somehow I don't know why, I don't know why I get that. But I can't prove it ya know but whatever, ya know it's water under the bridge ya know.

JL Yeah.

JD But ah, it's just, it's just. His father to me just smells now at this point. Ya know what I mean? Because if you, if you know ya kid like doing something wrong. I mean ya spank them and throw them in the house ya, ya know what I mean. His father's condoning it, he's in, he's in on it with him. Right?

JL Yeah.

JD Yeah. He's in on it with him so whatever Dom scams are

JL (UI) ... cause that's the impression I get. That's the impression I get that you know Dominick did all the damage. Dominick says that, dad do this keep you mouth shut,

JD Yeah.

JL Do what I tell ya, come, ya know what I mean and, and, and ya play fucking stupid and ya doing

JD And that what, exactly that's what Mr. DeVito does he plays stupid.

JL Plays stupid that's right.

JD He plays stupid ya know but ah, he knows, he knows exactly what's going on, exactly. Well whadda ya wanna do, I mean tell me.

JL (UI) ...gotta know one thing.

JD Yeah.

JL Ya cause some damage in your house.

JD Okay.

JL Okay this better be, okay ya can't live there anymore.

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JD Alright I mean

JL Ya gotta live somewhere else so it better be, ya know

JD Well does my policy call for renting or something I mean?

JL Yeah.

JD Yeah alright I'll rent something I mean I do have, I have Brae Burn, I mean I have another house to go to.

JL Right ... I'm just saying

JD No I gotcha go ahead.

JL There's gonna be time, it's not gonna happen over night

JD Right.

JL There's gonna be a process of a, of ah, ya know first we gotta call in the right people to clean up your house. There's gonna be a lot of damage. There's gonna be a lot of water damage. Ya know what I mean?

JD Okay.

JL Ahm now what you can also do is, on top of.... Lou from Crystal does the construction also.

JD Mm mm.

JL So if you have wall damage, see Lou's in with the Chubb ahm,

JD Adjustors.

JL With the Chubb adjustors.

JD Okay.

JL You understand?

JD So he, he knows the guys to call.

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JL Right.

JD Okay so he's got the Chubb so no problems.

JL Right.

JD So his adjustors will come no problems, no, no suspicions, got it.

JL For example, say you need this wall up, this wall costs twenty five thousand dollars. Technically the wall is gonna cost only five thousand, ya getting twenty five thousand for it.

JD I gotcha.

JL You understand?

JD I gotcha.

JL New, new ah, new this

JD What's Lou's take on this? He gets a percentage or what? Ya know what it is, ya know

JL No he gets the jobs.

JD I gotcha.

JL He'll get the clean up job, okay the water damage job, he'll get the ah, ahm ya know construction.

JD Okay.

JL So on top of that is, ya know I mean that's his profit.

JD I gotcha.

JL So, so ya like giving him a job and then, and then giving him more money.

JD Right, let me, let me ask ya this. See this, this one part that bothers me I'll be honest with ya. Dominick got all these checks, right around me. Didn't even know he got these checks. How did that happen, I don't want that to happen this

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time where all of a sudden I see like, ya know I say hey, great guys thanks for the fifty thousand and I find out Lou Todasco got four hundred thousand. See what I'm saying, that I don't want to happen. How do we avoid that, that's

JL Well, ah, I'm gonna be honest with ya. Dominick hired a outside adjustor.

JD Okay.

JL Phil Mellilo

JD Okay, right, okay.

JL Okay? Phil got him all this money, on top of that Phil collected seventy thousand dollars that was his take. Okay? Phil got seventy thousand dollars

JD From who? Where?

JL From the insurance company.

JD Oh God.

JL Oh yeah. Oh yeah.

JD So he beefed up the claim, is that what you're saying.

JL The quote... beef up the claim and ya know

JD Then he gets his percentage

JL And ya know and then Phil ahm, ya know public adjustors know, know company adjustors ya know.

JD They work together

JL And they, well they send ya know so much money here and then they wait a while to do some work, send some money here ya know but these checks made out to you had to be sent to somewhere that Dominick got them and signed them and ah

JD Bypassed me.

JL Very easy to do.

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JD Right I got ya, okay. I'm just saying this time I don't want that to, I don't wanna find out like thanks guys for the fifty thousand but meanwhile

JL No, ... no ya not gonna have an outside adjuster.

JD Cause we're not getting the public adjustor?

JL Ya not getting a public adjustor, the public adjustor takes his, his cut, you know.

JD Okay, alright so, right so the deal is Crystal's going to figure out, you want him to come to my house and figure out what pipe?

JL We're gonna talk first but ...

JD Ah talk to him, have him come to my house, show me what pipe, then I have to figure out who's gonna break the pipe, I don't know how to do it.

JL Him, he might, he might know some people. Who knows sometimes well tap, tap, tap and then it breaks by itself, you know.

JD On the soldering or whatever. Alright. And I have a sprinkler system so that's probably good right.

JL Yeah.

JD Alright. And then he'll come, he cleans it up.

JL He cleans it up

JD Do whatever he does.

JL He'll take his men right.

JD He'll deal with the Chubb adjustors, I don't have to deal with, ya know he'll, they already know what's going on.

JL What they, what he does that he'll come and with his men and he'll take, oh my God all your furniture is destroyed.

JD Right.

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JL Ya know we got to take all your furniture out, ya know he'll, he'll, he'll do that. He's got the big pumps, the water. Like all of a sudden if the water is going for a while your hard wood floors, the whole floor needs to be taken up and ah redone.

JD It's best during the week or on the weekend or I should be away or what? I don't know.

JL It don't matter.

JD Alright.

JL It don't matter. But as long as the water is coming in for a long time.

JD Well that's why Dominick planned it when he was away.

JL Of course.

JD Of course yeah.

JL Of course.

JD Cause then the water built up, built up, built up, built up.

JL Right. But let me talk to ah

JD Alright then you decide yeah.

JL I'll speak to Lou this week ya know and ah

JD Tell him

JL Lou's a good man.

JD He's a good guy alright.

JL He's a good guy.

JD Alright.

JL Ya know and ah, matter of fact Lou was gonna get the Brae Burn job. Lou went out, me, Lou, Lou's partner in the contracting business and Dominick went high

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and low throughout Brae Burn about what we're gonna do with this, what color we're gonna make this wall and the molding and this and that and when Lou came back with a price Dominick says what are you fucking nuts. I could do it for about ninety thousand less

JD Mm mm.

JL And then charge ninety thousand more, put the ninety thousand in my pocket. So Lou almost had the job with his contractor.

JD Okay.

JL Okay?

JD I gotcha yeah.

JL So ah, Dominick said nah you fucking guys are too high. I'll do the work, I'll bang the insurance company and I'll take the money. So.

JD That's what he did.

JL Why Dominick did all the work. And he duped the insurance company and Phil Mellilo ... ya know, just ah

JD Yeah

JL But

JD He's unbelievable. Ya think he paid any of his wise guys friends from that job or what?

JL This was such a cut and dried di, job ya know huh. Look, you have John DeBello owned the house, There was structural damage, ya know there was walls, there was, okay the pipe had to be re, ya know the ceilings, the flooring ya know. But ah, he said he had a Persian ah, a Persian rug.

JD Yeah.

JL That he paid fifteen thousand he got seventy five thousand for the fucking rug. Ya know and ah, me I'm going along with it, going yeah no problem Dom is, ya know. And ah, so they found out certain things weren't ahm, they found out that,

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that ah, ahm, they came to me and they thought that I was in cahoots with him.

JD Who they, Royal?

JL Royal. And Royal wanted to take me to court. Ahm, and, and

JD Well why would they think something like that?

JL I don't know. From

JD No I'm just

JL Ya know. Phil Mellilo is ah a was known for hanging around down Patsy's ya know.

JD Okay.

JL Ya have other people ya, ya know now ya have a claim that's six, seven hundred thousand dollars

JD A little out there...

JL You have investigators on top, investigators looking at certain things.

JD Yeah.

JL Ya know.

JD Well that's, that's why I said to like we're gonna do a claim I don't want this five hundred thousand dollar claim out there I mean it's ridiculous. Ya know I don't wanna call attention to myself.

JL John you had a broken pipe.

JD Alright.

JL Shit happens.

JD Shit happens alright.

JL Ya know what I mean ya had a broken pipe.

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JD Alright.

JL Ya know regardless the prick wanted as much money as he could get.

JD Mm mm.

JL Redo the house, he knew he was going away, regardless he meant to live there, he, he's figuring on let's take all. That's a lot of fucking money he took.

JD Took a lot of money man.

JL On top of fi, look he had to fix the house.

JD So he got money on every end.

JL He profited three hundred thousand. From the insurance company. Did the work, upgraded everything in the fucking house. I mean how old was the house to begin with?

JD Two years.

JL Got stuff that was brand, brand new, stuff that he wanted put in the house and profited three hundred thousand dollars. Ya know what kind of fucking score that is, huh? And

JD Well he had his whole network, he had the whole network set up of people obviously. So this guy Phil...

JL Kept all the money for himself.

JD Yeah.

JL And said fuck everybody else. Okay? That's, that's too hard to, ya know I can't swallow that.

JD No he shouldn't of did that to you.

JL You know.

JD He should of did that to you. He should at least given you something.

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JL That's too hard to swallow.

JD He should have given you something, ten percent something. But then he said go to Sonny right? He throws ya off by going to Sonny and Sonny says I don't know nothing right?

JL Told me, he says look, he says go see, ... John let me tell ya I was going up, I was driving up to fuckin' Brae Burn to fucking beat the shit out of him and something told me not to. Ya know

JD Nah don't get yourself into

JL I'm just gonna get into fuckin' trouble.

JD Yeah.

JL An, and when Sonny said I don't know what ya talking about.

JD Yeah.

JL I said that cocksucker fucked me, like he fucked DeBello, like he fucked LaManna ya know I mean look fifty, sixty thousand dollars out of a fucking three hundred thousand dollar

JD That's what he, he should have paid you.

JL That's what I should of gotten. Ya know, I mean that was understood before this whole thing went down and when it went down we talked about it and, ya know so ah, and

JD Well, whadda ya gonna do, ya know. The worse part is when he talks badly about it, like John's got a cocaine habit and I helped him. For, ya know like he, he said shit about people like ya know well DeBello he needed help. How did I need help? Whadda ya mean I need help.

JL Whadda ya doing. He gave me a hundred thousand dollars and ah, I was like where is it. Whadda ya give me a fucking check? Did ya give me cash? And then to tell everybody that I had a fucking cocaine habit that fuckin' scumbag. I hope he fucking rots.

JD That's really just wrong.

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JL Ya know years ago, years ago I've done a lot of drugs, I smoked pot, I did some coke, I, I, I drink

JD Alright.

JL That was a long time ago.

JD Okay.

JL Ya know I mean, when I was going to fucking discos.

JD Right.

JL Ya know. Never had a fucking problem with it. But when he was telling everybody that he gave me a hundred thousand dollars.

JD That's the number he told me.

JL A hundred thousand, gave me a hundred thousand.

JD That's the number he told me.

JL If he gave me a hundred thousand I wouldn't be breaking his fucking balls like I am

JD Right.

JL To get with the fucking claim. So he, he, he makes things up in his fucking head.

JD He, he's a sociopath I mean let's be honest.

JL Ya know

JD You see him ya know.

JL And then who I see one day I see ah, Wild Bill.

JD Oh yeah what's he up to?

JL So ah, ya know he just come out of jail. He, he was over here, no, he was at Chows and he walked by and we, we were talking and ah so I said Bill did you

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hear about the fuckin' rumor that Dominick started about me. He goes about what? He says ahm, ya know Dominic gave, now Wild Bill was always around Dominick. Ya know. I used to go to Dominic and fight for the insurance premiums. Dominick give me, somebody gotta fucking pay the premium. Oh no you pay, no I'm not paying the premium for you Dom. Give me the money I, every fuckin' month.

JD He wanted you to pay that too?

JL He wanted me to pay the premium for him and then he would pay me back. So I said to Wild Bill I says, Wild Bill did ya hear the rumor going on Dominic gave me a hundred thousand? He goes he gave you a hundred thousand. He goes how did he give it to ya, by check, he give ya cash? The only thing Dominic gave me was seven hundred and fifty dollars to go into the fucking, take the girl upstairs.. That's the only thing he gave me.

JD That's right?

JL Only thing he gave me.

JD Did he ever give you money on the other claims though?

JL Zero. The claim for ah, Purchase Street?

JD Yeah.

JL 925?

JD Yeah.

JL Nothing. His stolen car, nothing.

JD What car, what stolen car he had?

JL Oh no, no oh he had a fuckin...he had a stolen car.

JD He was doing all that shit.

JL Rigght! Killed me, he killed me. Ya know my company's paying out to (UI) ... ya know whatever it is, whatever it is he had a brand new car, he keep it for about four or five months, gone. Oh yeah, oh yeah. He fucking destroyed me. At least

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throw me a fucking bone or something.

JD He was making ya look bad hah.

JL Throw me a fucking bone

JD Well you looked bad to the insurance companies obviously.

JL Ya know how tough it is to make up a seven hundred thousand dollar claim? So now the company says, ya know we're doing this and doing this ya know we need to talk to you, you know there's ... two options either we're gonna sever ties okay and ah, and, and now I see my fucking life coming down on me, oh my God. I had a relationship with this company that my father had for fifty years. And they're telling me they don't wanna do business with me no more because of this claim.

JD Yeah why'd you allow him to do that then to you?

JL It was done already. It was done already, I was under the impression that I was making fifty thousand from this claim.

JD I gotcha so it would have covered you either way then.

JL But I think fi, I would've took the fifty thousand. I, I, I would of been very happy

JD Yeah.

JL And then replaced all the business with Royal. Who cares if I would of lost the company ya know I'd take all the, so now I got no money, I got aggravation and I have to replace all this business.

JD Alright.

JL Ya know boom, boom, boom. It just, just sits like a fucking pit in my stomach. This fuckin' scumbag. So now

JD You think Wild Bill knew what he was doing, all this shit?

JL He might of known something.

JD Yeah?

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JL But ya know a lot of things, a lot of things he didn't know.

JD No huh?

JL No. I, I really think

JD Sonny, Sonny's the one.

JL Oh yeah. Sonny would probably know everything. Sonny probably knew everything after the fact.

JD Did Sonny ever have any claims at his house?

JL No.

JD Really?

JL Zero claims. Zero claims.

JD Cause his father's name.

JL Ya know how many times, I'm gonna tell ya something when fucking Dominick couldn't get insurance that the mother and father had to put the insurance in their name for their cars.

JD Why cause

JL Cause when his credit was so bad and, and

JD He was reporting cars stolen or something?

JL Yeah. Yeah. He had to put the car names in his father's name and his, and, and Patty's name because he couldn't get insurance. He would have to be in the assigned risk, he could get insurance but

JD Yeah but it'd be really high yeah.

JL Right. That's right. (UI) ...

JD He's a piece of work I gotta tell ya that. I gotta give it to, give him this he's a good criminal. Right? I mean he's a good criminal he's good at what he does.

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JL When's he gettin' out ... ya know?

JD Ya know that's one thing that bothers me I don't know when he gets out am I gonna have a problem with him or not I have no idea.

JL I don't think he really gonna wanna fuckin' see you guys.

JD My personal opinion he's gonna run for the hills ya know cause he's not gonna wanna, he's not gonna wanna talk to us. He knows, he knows he scammed us what he's gonna go around somebody he scammed? Ya think he's gonna come and see you? No he, he scammed you. So ya think he's gonna wanna come and see you?

JL No.

JD He don't wanna see me and Joe.

JL Definitely not. He definitely won't come and see

JD Cause ya know he'd be afraid ya know his, his, in his mind

JL You got money in your meter?

JD No.

JL Huh?

JD Why, no leave the ticket.

JL No! please

JD Hold on. Why is there someone there?

JL Yeah.

JD Let me throw it in, hold on, throw a quarter in?

JL (UI) ...

UM Sorry.

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JD Where's your car?

JL It's in the (UI) I didn't have a quarter.

JD You want, here I have a quarter, ya want me to put it in?

JL Yeah, sure let me have it. .

JD Alright go ahead.

(OTHER VOICES)

JD He left to put money in his ah, meter.

(NO CONVERSATION FOR A WHILE)

(VOICES IN BACKGROUND)

JL You remember her?

JD No. Ya know she

JL Went to school with you.

JD What is her name?

JL Ah Tul, ah Turney, Tony.

JD Tony no

JL Tony, ah

JD Tony, no

JL She's your age.

JD No ah, ya know the truth is she did look a little familiar. I, She gained a lot of weight, I'll tell ya that.

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JL Oh geez, She's a fuckin moose

JD Yeah I mean she gained a ton of weight but, alright so you'll call me? Let me know, let me know what's up.

JL I'll speak to him this week.

JD Speak to him this week, it's still freezing out so we gotta get a move on this month obviously. Before March rolls in and ah, you tell me what's next that's it.

JL Life. Life is too short bud.

JD Who opted for this nonsense right?

JL Mm let me tell you. Ya know there's so much bull shit going on and I remember the day, the day before my operation ya know, I'm having a fuck, a massive heart attack ya know and I saw my fuckin' life pass in front of me. And ah

JD Yeah everything becomes irrelevant at that point.

JL It becomes irrelevant ya know but when you're in a situation that it's tough to get out of ya gotta deal with it the best that you can

JD And move on.

JL Tough, but it's tough to do.

JD Whad ya think I'm doing?

JL Tough to do. I mean, what are ya doing?

JD Just working. I'm paying my bills as best as I can I'm trying to refinance what I can refinance and

JL Why did you have this house built?

JD It's not like I started yesterday, it's like a, it's a year and a half ago.

JL Why don't you sell it?

JD Ya, don't ya think I'm trying?

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JL What the new house?

JD I'm trying to sell everything I own. I'm trying to sell

JL What's the problem? Too much money?

JD Let me tell ya most of the problem is my personal opinion is, that Dominick DeVito has put out there through Robert DiDonato to hurt me anyway he can. And supposedly from what I heard through the grape vine like when realtors come and look at the house ya know already the stain is on there like ah, ya know say don't buy that house ah, there was something wrong with it, there was water damage or ah, ya know they do anything they can to ya know don't, don't go look at that house that's bad, ya know this guy was in there that this mob guy hates or something. I'm telling ya all this shit believe me.

JL So Brae Burn right now is vacant?

JD Vacant.

JL Vacant.

JD Tell me why a nice, beautiful, new house is not selling or renting? Tell me why.

JL First of all the price is too much.

JD Has nothing to do with it. Why isn't it renting?

JL I don't know.

JD Yeah because there's a stain on it ya know what I mean. Someone put a black mark on it.

JL So what are ya gonna do? Whadda ya gonna

JD Trying to survive until I can, look eventually something's gonna sell and something's gonna rent and something ya know that's why I got my own house up for sale. If I sell my house I move into one of my other houses I mean what am I gonna do. I'll survive until I can't survive anymore. If I go bankrupt I go bankrupt I'll start over. Press the restart button what am I suppose to do. Ya know get upset about it. Ya know what am I suppose to do at this point. Who am I suppose to take it out on Dominic DeVito who's in jail and tag me? Ahh how

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am I suppose to fix that, ya know how am I suppose to fix that. Ya can't fix it, it's done. Ya know so I'm just gonna survive any which way I can and then move on that's it.

JL And the house in Scarsdale?

JD Yeah it's being built it's right there. Ya know once it's

JL Why don't you sell it.

JD John ya can't sell something that's not finished, ya know what I mean?

JL Al, almost.

JD Ah but ya know I'm not a reputable builder where people

JL Ya need money to have it finished.

JD Well I got it like through the bank but the problem is I gotta refinance it and it's still taking time. I'm in the works.

JL Okay.

JD I'm trying to get myself, ya know together.

JL Okay.

JD But look, ya know, an extra fifty grand does that help me, of course. Of course get me through two, three, four months of mortgage. Yeah that helps that's huge, huge.

JL The fucking nut's gotta be crazy for you (UI) ...

JD Oh whatever, whatever.

JD It is what it is ya know.

JL But ya surviving though.

JD I'm a worker, I'm a workaholic you know that..

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JL But you're surviving that's huge.

JD Yeah exactly.

JL That's huge.

JD Literally this guy took a baseball bat and broke a leg and I'm still, I'm still standing.

JL So nothing was done on Brae Burn. No, (UI) can't even rent it.

JD No.

JL And Robert DiDonato he's a fucking scumbag too?

JD Whadda ya think he basically works for Julie B. Fee and Dominic DeVito you don't think come on let's be honest. Ya know. How Robert DiDonato. I mean what, what, what's up with Oak Valley? Don't ya know it passed through Robert's hands somehow or something. Ya know Joe just heard Robert got paid some money because he flipped it from Dan or something I don't know the details. Ya know so Robert DiDonato's in Dominick's corner let's be honest. Ya know that's his friend. I, how did I get introduced to Robert DiDonato?

JL Through Dominick.

JD Okay. So is he on my side? He's not on my side. He doesn't wanna help me, he wants to help the guy that's giving him money. Ya know what does he wanna help me for.

JL Mm.

JD He's not looking to help me. Dan Forbes how did I intro, how did I get introduced to Dan Forbes? Dominick Devito. So obviously these are his people, not my people. No one's looking, they're not looking to help me they want to hurt me.

JL Yeah but didn't Dan get fucked somehow with ah Oak Valley didn't something happen?

JD Ah, Dan Forbes got screwed, he got paid on Brae Burn. Okay? Didn't Dan Forbes get paid on Scott Circle?

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JL I don't know.

JD I'm assuming, right? Dan Forbes is out here doing stuff for Dominick, you don't think he is.

JL Mm.

JD You don't think he's still running Dominick's little whatever empire he's doing?

JL I don't know. I don't know.

JD Look at this guy Dominick Carpenito ya know who he is, ya ever meet him?

JL I don't, him, I never met him.

JD Yeah.

JL Yeah.

JD Supposedly he's he's still running numbers or something and giving Dominick money. Supposedly he drops money off to Sherri.

JL Yeah.

JD Hey I don't know, I don't know these things. Ya know I don't know these people. But you know. Ya think, you think he's interested in not earning money while he's in prison that's the, you know that. How's he buy a house in Florida? Does the average guy in prison go buy a two million dollar home in Florida?

JL I don't know how true that is.

JD Ah come on.

JL And I heard that too.

JD Yeah you heard it too right yeah.

JL I heard it.

JD Come on. If everybody's hearing that there's gotta be some truth to the rumor then right? Yeah okay. So it is what it is. It is what it is but

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JL Ya know but ya know ya gotta remember one thing you had no alternative but to do what you had to do.

JD What throw his wife out? I had no choice.

JL Had no choice.

JD I had no choice at that point. I'm not him, I'm not part of his clan. Ya know what I mean I had no choice at that point I had to prove to myself I'm like no, no, no, no, out, goodbye. Goodbye.

JL When was the last time you had a claim at your house?

JD Where?

JL At your house.

JD Which house?

JL Where ya living?

JD Never.

JL Never had a claim?

JD No I never had a claim in my life John.

JL Okay.

JD Brae Burn that's it.

JL Okay.

JD Wel, you said that it look, Scarsdale I never had a claim there.

JL Okay.

JD Ya know never. Ya know do the research yourself on me or something. I'll give you my social security number, my wife's I mean there's nothing, I have nothing so. But get back to me then.

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JL I'll speak to him this week?

JD Yeah get back to me, call me, leave me a message, just say, ya know just make it very benign

JL (UI) ...

JD Ya gonna call him now?

JL My boy, Louie. You play golf?

JD Mm attempt to.

JL Yeah?

JD Attempt to.

JD Not answering?

JL He'll call me back. I leave a message he'll probably call me back.

JD Yeah alright.

JL (ON PHONE) Whadda ya doing? Yeah? Pipes are breaking left and right. That's a beautiful thing. Oh you and I gotta sit down. Nothing, I'm not gonna talk over the phone. Okay? We have to go visit somebody. No, no. Yeah. It's me and you. Yeah. (LAUGHING) Ahm, tomorrow. Heritage, Heritage Hills you don't have that mold problem do ya? Yeah. Oh okay because Bobby Laturcie's brother Duggie lives in Heritage Hills and ah, he's gotta move out of his place because of the water damage and the mold. I don't, I don't know, I don't know. It's the association that's doing it. Whole family had to move out. Ya know what ya do why don't ya call me tomorrow okay. I'll call you at ten o'clock. No before. They were really before, hey I don't get up till about nine. Come on. I'm still sore. Hey Bud, hey, and ya giving me three and three this year. Ya giving me six strokes. I only got half a swing and the doctor says (LAUGHING) That's what they said, that's what they said. They said my swing is gonna be best. He said my swing is gonna be better than ever. I don't want that to happen I want my handicap to go up. There ya go, there ya go. I, I, I'm gonna go up to about an eight or a nine this year. Hah? I'm telling ya, I'm telling ya I'm going up. What? I'll call ya, okay. I'll call ya ten o'clock you got it. Thank you. (END OF CALL)

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JD Alright well.

JL I'll call him tomorrow. Give him something ah, he lives up near you.

JD Where White Plains, Purchase, Harrison?

JL Harrison I forgot it's like back from Brae Burn.

JD Oh in Harrison though?

JL It's back there.

JD Ah like near Silver Lake? I don't know.

JL I don't know.

JD Alright he's up there though now. Well he could stop by one night or whatever right?

JL Maybe tomorrow.

JD I'm a little busy tomorrow but tell me ya know. I'm a little, I got my kids playing games, hockey and

JL Me too.

JD Oh yeah.

JL When ya gonna be free?

JD Tomorrow's a bad day actually we're just out like all day. We're gonna be out all morning, there's church. We got tickets to a hockey game.

JL Hey ya (UI) ya know what I mean.

JD I, I'm just, I know what ya saying I, but I'm, I mean, call me, call me.

JL Or maybe he could come Monday or Tuesday and

JD Yeah call me.

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JL Ya know.

JD It's probably better at night like during the week. Or next weekend or whatever I mean the sooner the better. Obviously, right?

JL And I'll call him and ask him alright.

JD Alright?

JL I'll call ya tomorrow. (UI) ...

JD Alright I'll see ya thanks.

JL Alright kiddo ...

JL I'm gonna try alright ... every day, every day is ah, every day is an adventure and I ya know, just deal with life .

JD Yeah move on. What are you going to do?

JL Alright.

JD Thanks alright so call me tomorrow or whatever to tell me.

JL Tomorrow I'll let ya know what's going on.

JD Yeah. Okay.

JL Alright.

JD See ya later thanks.

(TRAFFIC NOISES)

Time now is 3:49 PM we're gonna be shutting the equipment off at this time this is Tom Krall.

(END OF CD SESSION 1)

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

26 Federal Plaza
New York, New York 10278

File Number: 281A-NY-289758
Date: 2/2/2005
Time: 16:50:24
Tape Number:
Agent: SA MICHAEL HARTNETT

Participants:

John DeBello	JD
John Liscio	JL
Lou Cardasco	LC

Abbreviations:

Unintelligible	UI
Inaudible	IA
Phonetic	PH

/tld

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This is SA Michael B. Hartnett, along with SA John Penza. The date is February 2, 2005, the time is approximately 9:26 PM. I'm going to make a consensual recording between John DeBello and John Liscio at, with Lou Todasco as well. The time is 6:26 PM approximately.

(Walking sounds and background noises)

(Television playing in background)

JD I expected you to call me (UI)

JL What are you fuckin' sick? Are you sick?

JD Why didn't you call me I would have (UI)

JL Cause I got a heart problem, what are you crazy, I can't, I can't lift my feet up like that.

JD (UI)

LC Lou.

JD How are you? John.

LC John, how are you, remember me?

JD Uh no. (Laughs)

JD From...

LC Brae Burn

JD Brae Burn, I don't know if we met there because you came to my house in Scarsdale.

LC We met in Scarsdale I met you at the, the restaurant there on East Chester.

JD Oh that's right, that time in Scarsdale.

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LC You came off surgery that night.

JD Oh, oh alright.

LC (UI)

JD I don't have the money to plow the whole house.

JL Listen to me I don't care, a, a walkway at least.
Come on.

JD UI Garages. What do you wanna do.

JL Well we're gonna look.

JD Do you wanna look at the attic what do you wanna do?

LC What, what, what do you wanna do?

JD I don't know this is up to you guys.

JL He, he doesn't know. He's kinda, ya know.....

JD I'm green.

JL UI

LC Yeah.

JD You tell me what, what happens like uh,...

LC What, what you wanna make something happen.

JL Wanna make some damage.

JD Okay.

LC Hey wait a minute.

UM Alright.

LC What kind of heating system do you got hydro air?

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JD Yeah I think so, do you wanna check it.

LC From the attic.

JD Yeah.

LC Okay, well that's probably your best bet from the attic, how much do you wanna make. How much damage you wanna make.

JL Listen, listen, you know I told him that you, you can get the clean up and construction.

JD Yeah that's fine.

JL Okay.

JD Well we'll talk about that cause I wanna make sure...

LC It's Chubb

JL It's Chubb

JD It's Chubb.

LC It's great.

JD That's the best.

JD Alright he said that. Otherwise you know what it is...I'm thinking about too with the um, that claim I had at Brae Burn. I don't want that coming back to haunt me. That was Royal...

LC Diff...different, different company.

JD So don't worry about it right.

JL That's Royal

JD That's what?

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JL That was Royal insurance.

JD (UI) Right so I'm just saying...

LC (UI) You had Chubb on the other house on Scott, and he had encompassed on the...

JL No you don't own Scott.

JD I don't own Scott

LC No I know...

JL That was Lammana.

LC Right.

LC Joey at his house, and you had the thing at your house in Scarsdale.

JD Yeah I never put a claim in.

LC I know, you had Chubb though.

JD I had Chubb.

JL He had Chubb, they're the best. No claim ever went in there.

JD Yeah, in Scarsdale I never put a claim in.

JL At Brae Burn.

JL (UI) you know cashed it .

JD When he took it, he took the money.

JD I didn't even know he existed.

JL He took the money.

JD So that's what I was telling him, I was afraid of that this time.

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LC So the, the house right now is in who's name?

JD No it's mine, it was always my house.

LC This, this house?

JD Oh uh, my wife.

LC Okay.

JD Yeah. So that matters (UI)

UM (UI)

LC Yeah well it, is there (UI) is there a mortgage on the house?

JD Yeah.

LC Okay so the, the bank, the bank's name will be on the check, your wife's name would be on the check.

JD Okay.

LC And probably my name would be on the check.

JD Okay.

JL Over there Dominick took the money for the damage to the structure and he took the contents and junked them okay.

JD He never told me (UI) much at Brae Burn.

JL John you got a beautiful house here.

JD Thanks.

LC They had an issue at Scott Circle due to the fact that there was no one livin' in it so they depreciated the fuckin' piss out of it.

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JL And what they did was they gave them an 80 thousand deductible.

JD Yeah.

UM While (UI)

JD Well Sherri tried to say that uh, someone lived in that house. Whatever, so this is better when someone's living in the home.

LC Well if it's, it's furnished then now they know someone's living in the house.

JD Okay. Huh. Okay.

UM Alright.

JD So what, what do you wanna do, look in the attic.

LC Let's go from the top down.

JL Is that heat?

JD Yeah, the heat's going on.

(walking)

JD You alright, did you fall down going up the stairs?

JL I had a (UI)

JD What happened?

JL (UI) I don't know I got, I got heaviness.

JD Well watch what you're doing.

JL Must be muscular, it's gotta be muscular.

JD Well you hope so.

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JL Yeah, no it's...

JD That's what you hope for.

JL I start my cardio next week. I start my workout next week.

JD Well obviously...(UI)

JD Now what did Dominick break, this?

LC Yeah he had the uh, the copper line.

JD It was the sprinkler with copper.

LC It wasn't a sprinkler, it was just a copper line.

JD Oh I see.

LC That he claimed it was uninsulated. There was no fuckin' way in hell it wasn't insulated. It had to be insulated cause it would never get the CO.

JD Right, right, right.

LC (Laughs) It had to be insulated.

JD Right. See if we break this though, I mean this is a lot of damage.

LC (UI)

LC This is even better, cause, do you have antifreeze in the line do you know?

JD I'm assuming I don't know.

LC Well, believe me half the people in Harrison and Purchase don't know what the fuck they got because, things get passed in this town (UI)

JL But you, you gotta walk him through, he has no idea, he

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has no clue.

JD Obviously yeah.

JL You understand.

JD But I'm saying if that pipe is damaged, there's a lot of, -

LC Oh yeah.

JD - that's a lot of water.

LC Let me ask you the question, when you, if and when this occurs, where are you gonna be livin'.

JD I'll, I got another house.

LC Okay.

JD Alright, cause I, I, I can't live here.

LC Well exactly so they're gonna, they're gonna, you own the other house?

JD Yeah.

LC Okay, so what I was thinking is if you really wanna fuckin' hit a homerun, after living expenses, the house in your name, the other house?

JD Uh, my name yeah.

LC Okay, that's how you get, get, you get the ALE coverage.

JL Right.

LC Chubb will pay like 12 thousand dollars, 20, 20 thousand dollars a month to live somewhere else, they'll find your house, so if that house is not under your name you can say well I had found a house in

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Scarsdale and it's under someone else's name, bada bing, but I'm paying him another 20 thousand dollars (laughs)

JD Alright okay.

LC But if it's under your name there's gonna be a little bit of a problem so...

JD Yeah.

LC I know you got multiple, there's multiple houses in the area.

JD Yeah I, alright.

JL Well you don't have to say anything.

LC Huh?

JL He doesn't have to move into uh, Brae Burn

LC No he can...

JD Move somewhere else.

LC - do whatever he wants but the bottom line is -

JL Right.

LC It's procedures here, capish I mean if, you know, you know, you move into your other house I mean they're not gonna pay you for it.

UM (UI)

LC You move into a house you gotta rent cause you can't live here...

JD Right.

LC They, they (UI)

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JL Usually (UI) problems is with the uh, (UI)

LC No, it's, it's gonna get cold up here and they freeze. And that would definitely be a...

JD Now do we have to break this one or is there something else we could break and, cause this is a big, this is big damage.

LC Well that's, well what do you want, what do you wanna do here.

UM (UI)

JD I'm just curious.

JL (UI) either you want big or you want (UI)

LC You don't get half pregnant, you get (UI) or you don't.

JD Alright I got you.

JL You know. You can't control the water (UI)

JD Okay.

LC I mean are you gonna be like on vacation when this happens or are...

JD I don't know that's what I'm saying, you guys tell me what happens.

LC Well the thing is, you, you gotta get the whole fuckin' story straight before you do anything. (UI) then they question you on under oath and shit like that though.

JD Now these Chubb people though you know them or no problems or...

LC Well then thing is when the claim is reported by the broker which is you, you basically tell them that you got people here taking care of the emergency work and

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it's a very large claim in the excess of dollar amount. At that point they'll send the top guy who I know. Now he's gonna be, he's gonna be part of the action too.

JD Okay.

UM To make the numbers go.

JD Oh, okay. (UI)

JL (UI)

JD Alright. What is he, who pays him I do or, you do?

LC I do.

JD Yeah, okay. Oh, cause the truth is at, you know Brae Burn, this money went out the window. I didn't even know it existed so I, I told him that the other day I don't wanna get circumvented you know.

UM Mm.

JD Like I don't wanna say hey -

JL Oh by the way...

JD - say here's your fifty thousand meanwhile you guys get 700.

JL And by the way, and by the way you owe, now you owe me 70 thousand, just thought I'd let you know.

JD How much?

JL 70. The thing was 700 over there, the house is in your name, I got fucked, so he's in jail so -

JD Alright.

JL - so, so...

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JD I gotta pay you for his uh...

(overlapping voices)

LC Yeah, (UI) you gotta get down the stairs though (UI)

JD (UI) get out of here.

UM (Laughs)

JD We're not, we're not (UI)

UM (UI)

LC I think John should just fall outside on the front lawn and it's all over.

JD Yeah there we go.

LC We get a fuckin' quick million and we're out of here, settle out of court with Chubb forget it.

JL So he has one week to do this Lou.

LC Well the thing is I, what I wanna do is I wanna speak to my plumber.

JL Okay.

LC In person, I don't wanna talk to him on the phone.

JL Alright.

LC I'll talk to him about the hydro system.

JD I mean who's gonna, yeah who's gonna break the pipe too, (UI) what are you gonna, what are you gonna do hit the thing with a hammer I mean I don't know.

LC No you just gotta, you gotta, somehow you gotta freakin' like, do it naturally just freeze it up or just kind of pop.

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JD How do you, how do you freeze a pipe that has antifreeze in it?

LC You could freeze it, don't worry they, they, they're poppin' all over the place right now. Either that or you could use the hydro air.

JL (UI) got about four or five million dollars in claims right now.

JD Really.

JL Yeah.

JD That's a lot of money.

LC See these copper lines here?

JD Yeah, those are better.

LC Well I wanna speak to my plumber and see the best way -

JD Alright.

LC - that we can do this.

JD Just stop by or whatever.

LC Yeah what I'll do is I'll, I'll get all your information before I leave today, well it'll be from here down.

JD Fine

LC And with Chubb there's always like a matching issue. When you got a beautiful house and everything flows.

JD Oh I got you.

UM To do something you have to basically do everything.

JD Oh so even if the house is not a hundred percent

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wrecked, they gotta think the whole house goes
back to normal.

LC Exactly, exactly. So then, we would go down from the
attic, down to the second floor, down to the first
floor down to the basement. I think it's gonna be, you
know.

JD So that's why you gotta break something upstairs.

LC If you, if you let this thing fuckin' run how long -

JL Oh forget it.

LC - I mean you know that's....

JL You're talking walls and ceilings and floors and
everything.

LC We, we, we could do a, a major ren...you know basically
renovation, we could do a mold job, due to the fact
that you know mold is a big issue with the insurance
companies now, I mean it's gonna fuckin' go whatever
you want.

JD Right.

LC So what kind of coverage do you have? Do you know (UI)
pretty good coverage.

JD I don't even know.

LC I'm sure you got coverage. A million, a million at
least, a million five.

JL Closer to three, two to three.

LC So that means you got half that in contents.

JL Right.

LC What are you gonna do with your contents.

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JD I don't know.

LC It's your personal stuff.

JD Yeah I mean what, I mean what's my stuff really worth?

LC Yeah, I'm sayin' bottom line, once this stuff happens if, if this stuff gets trashed, it gets trashed.

JL - (UI) the insurance company will pay you for it, then they gotta pay you for the destruction.

LC Try, try to have it damaged this way it looks, it looks legit you know what I'm saying.

JD So should I move stuff that I don't wanna get damaged out of the way?

LC Right, and we'll just get it out of the house.

JD Like personal stuff or whatever.

JL Yeah, right.

LC Any stuff sentimental.

JL They'll pay you for the contents too.

JD That's what I'm saying yeah, alright. I'm saying if there's like sentimental stuff that can't be really replaced why do I want that to get damaged.

LC Yeah put it, put it somewhere else or just get it out of the house, like photo albums and shit like that, cause -

JD Right.

LC - once this happens we don't know where the fuck the water's gonna go.

JD Right.

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LC Now see this is all insulated so you're gonna lose all the fuckin' plywood up here all the insulation, all the duct work might get fucked up. You know this could be big.

JD Alright.

JL So you gonna speak to your plumber, speak to your plumber?

LC Let's walk the rest of the house so I can get another idea too.

JD Yeah.

LC (UI) divide it up.

JD Yeah.

JD It was like this I didn't do anything to this house.

JL Hey big guy. (talking to the dog) You still got that dog? He's old huh?

JD Ten years old.

JL Wow.

LC What's this?

JD Playroom.

LC I actually walked this house when it was being built. Did Mary Ann Berliner own this house?

JD Yeah she owned, she built it.

JL She built it.

LC What you got here?

JD (UI)

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LC Do you use that treadmill?

JD Uh, yeah on occasion.

LC Huh?

JD On occasion.

JL Bro, you gotta use the treadmill.

LC What's that the maid's area?

JD Well like a guest bedroom. Toy room.

LC This is over the garage?

JD This is over the garage.

JD This is right over like a two car garage (UI).

LC This is all gonna be destroyed

JD This too?

LC Yeah.

JD All depends on where the water comes from.

LC (UI) exactly, we don't .

JL Oh yeah this over here, the floors, everything from here to downstairs, what's underneath here, the garage?

JD The garage.

JD You're talking about the whole house gettin' destroyed.

LC (UI) the weather.

LC It's gonna be warm, it's gonna get warmer over the weekend.

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JL It's gonna be in the 40's.

LC We gotta plan this where it's gonna pop. So we can say basically it was frozen then popped, I mean they don't know.

JD What I'm saying is, is there like a temperature dependent like if it's a 40's and it pops, it's weird.

LC Well the thing is obviously you know, you've had the heat on, you've had, you, you paid your bills, they, they ask you questions like let me see your recent oil bill that you paid that you kept, you kept the house maintained.

JD Right.

LC You had heat in the house, no problem, (UI)

JD Yeah.

JL Everything maintained.

JD Yeah we run out of oil once in awhile. It happened just two days ago.

LC Who's your oil company?

JD I don't even know, well I think Roberson, I don't even know.

LC Okay, but there is a full tank in there right now.

JD Uh, right now there is yeah.

LC And you said (UI) too.

JD Yeah.

UM (UI)

JD Yeah I didn't buy any furniture (UI)

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UM There you go, (UI)

LC Is this the boys' room.

JD The boys' room. My daughter's room, it's locked.

LC Do you have twins?

JD Uh, no they're uh, eight and four, and my daughter is seven going on 50.

LC Another bedroom over here.

JD Yeah.

LC Is this another bedroom over here.

JD That's my bedroom.

JD (UI) What's the matter?

LC Nothing

JD My wife's gonna cry.

LC Why?

JD (UI)

LC Any of her and your favorite clothes..

JD Well I'm not gonna say anything to her.

LC Well but who wants (UI)

JD That's why (UI)

UM (UI)

JD Yeah ya know. I got, I got pull around here.

UM Huh? (UI) what's up with that. (UI)

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UM (UI) closet.

UM (UI)

LC Basically um, the center hall over is gonna get the worst blast of it depending on which tank goes.

LC Now see your, your unit is right above here the uh, hydro air unit.

JD Right.

LC So this is gonna fuckin' destroy it. (UI)

LC (UI) settling

JD What does that mean?

LC No, that's just the house settling (UI)

JD Oh okay.

UM Yeah.

JD Oh I thought it's like a place for water to flow (UI)

UM Yeah um...

UM (UI)

UM Hm. (UI) Interesting.

UM (UI)

JD How you doing, alright.

JL I got some uh, some muscle pains you know. And uh, uh, this happened last night and uh, you know this happens, a little heaviness when I breath and uh, I was (UI) a little bit Saturday, you know.

JD There you go.

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JL The doctor says...

LC I saw him a couple of days before Thanksgiving, didn't speak to him, and the holidays went by (UI)

LC Didn't talk to him. I says John what are you doin', let's have lunch. Lou...I gotta tell you somethin'. I said what....I just got out of the fuckin' hospital. Yeah, I had a fuckin' heart attack. You, you're kidding me.

JD How old are you?

JL 46.

JD God damn.

LC I said you gotta be fuckin' kiddin' me.

JL It happened just like that and uh, my cholesterol was 230, I smoke less than a pack a day, you know and, and uh, I guess it was just everything altogether...

JD The stress.

JL ...um the stress, family history, I never knew, I never knew that my father's brother had a heart attack at age 39, my grandfather died in his 50's and uh, -

JD Really, wow.

JL - so, coronary artery disease. 75 percent blocked.

JD Like a pipe breaking.

JL So, yeah, yeah. So they rerouted it and uh, he said, he said there's no damage to the heart which is good.

JD Alright.

JL Everything around it is uh...

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JD Yeah clogged but still got blood in it. Got lucky.

JL Very, very lucky. Very grateful.

LC Tell him about the shower.

JD What shower?

JL I'm coming home, operation is a success...okay, I'm fine. Eh, but I still have these metal threads hanging out of me and it's C and A and D, so I said to the nurse I says I gotta take a shower, you know my wife is coming to get me, I go into the shower, and I'm saying I'm looking and I'm saying where's my fuckin' shampoo, (UI) my shampoo. After I walked out I had my sweatpants on no shirt, and as I walk out the nurse says, what are you doing, what do you mean what am I doing you said I could go take a shower. You can't take a shower. Why not? These metal rods if I went into the water I would have went into electrical shock.

JD (Laughing)

JL I would of had, I would have been, I would have been fried.

(Overlapping voices)

JL If something would have happened with the water.

JD It would have been like the last days of Pompei in there.

JL Imagine that. So the, so the doctor had to come in, he had to take these metal rods out of me, holy shit I would of, I, I would have went into electrical shock.

LC (UI) Fuckin' treadmill.

JL The treadmill.

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LC He gave you the fuckin' (UI)

JL Yup.

LC The surgery he (UI)

JL Yup.

LC (UI)

JD I don't want my wife to come home.

JL Is she coming home now.

JD Well I, I just don't wanna take any chances.

LC Okay.

LC (UI) you want me to fall down the steps.

JD (UI) you want me to put an elevator in.

LC Yeah right. Yeah. Huh?

JD (UI) an elevator in.

JL Holy smoke, heh, (UI) down the fuckin' steps.

(Overlapping voices)

JD No, we didn't buy one.

JL Oh. No, (UI) go buy one, (UI)

LC If they ask (UI)

JD Oh if it's (UI) yeah.

LC Go buy a cheap one. This whole fuckin' thing comes down forget it, (UI) The (UI) will break, the (UI) will break. (UI) just like Brae Burn.

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JL Yeah remember that (UI) that chandelier came down (UI)

JD Who'd you get to break his pipe?

UM (UI)

LC (UI) broken pipe, there's (UI) I got hell from my wife because (UI) go out to dinner with four couples that night.

JD Oh.

(Overlapping voices)

JL The rug's gotta be at least 30 right (UI)

LC You got receipts for all this shit?

JD Uh a thousand dollars for the rug.

JL Oh it's persian right.

JD No.

JL (UI) tell me, cause the rug's gonna be worth ten thousand when we're done.

JD How do we do a receipt for that.

LC Where'd you buy it from?

JD Uh, ABC Carpet.

LC Oh down in Rye.

JD Um, actually we were in Florida at the time, I paid like 11 hundred dollars for it.

JL What bill you got?

LC (UI)

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JD Why he gets receipts for that?

LC He fuckin' (UI).

JL But he made up a home run on that, fuckin' carpet was 90 thousand right, 75 thousand.

LC He probably said the carpets were shit.

JL Huh.

LC Said the carpets were shit.

UM (UI)

JD But he got, a lot of money, 90 thousand for a rug that wasn't worth anything.

JL Right.

LC (UI)

JD So you got a guy to do that or what?

LC Um, yeah we'll have to get him to come, he'll be the, expert on this situation say the carpet's worth uh, 10,000, say it's about 7,500 or...

JL 10,000.

JD Mm hm. Alright, you guys know, I don't know.

LC Uh this is uh, (UI)

JD Yeah let's (UI)

LC What's back here?

JD Office (UI)

Overlapping voices

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LC Can we go in?

JD Yeah

LC Propane, propane. (UI)

JD Yeah.

LC This is your office?

JL (UI) How much do you like this.

JD A lot right.

UM (UI)

JL What a fuckin' shame. I don't know. See you gotta realize there's gonna be a lot of damage. You're gonna have (UI)

JD I'm catchin' it from your conversation. I didn't think so at first.

JL (UI)

LC (UI) You saw Brae Burn.

JD Yeah, (UI)

JL It's gonna be like that. I mean it's gonna be, water (UI)

LC (UI) see the fuckin' burn, one blew out...water does more damage than fire because water takes forever for fireman to respond, ya know, fire you see...ya know is devastating. Water ya know, (UI) floorboards of the entire house. They all match so how do you, how do you match and not pick 'em all up.

JD Right.

JL When you think about it, (UI)

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JD No I'm gonna, you know we gotta do it, I mean (UI)
we gotta plan it, we gotta get the right time and the
right (UI) You know the right uh, temperature.

(TELEVISION NOISES)

JD (UI)

LC (UI)

JD Yeah, t.v. sure.

LC (UI) another t.v. in your master bedroom too.

JD Yeah.

LC Alright that's gonna (UI) so if you got 'em put 'em
somewhere safe then.

JD Okay.

JL Everybody's water (UI)

JL Hey

JD So when this happens, the thing that bothers me the
most is, is who's gettin' what, ya know what I mean,
that bothers me the most, who's gettin' what.

UM (UI)

JD If Lou wants to do the construction that's fine.

LC But it's going to you, it's going to you and the bank.

JD Alright, alright. So i'll see it.

LC Because the, the check comes to you.

JD Alright (UI)

JL Your name on it, can have your wife's name on it if

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your wife's, if the house is in your wife's name...the check might even come to me.

LC It will but he'll, he'll give it to you.

JL You'll have your name on it, your bank and my name.

JD Oh okay.

LC But it'll come to you.

JD Alright.

JL It, it comes to the person who's, who's...

LC Anything contents wise is down, it's your money, that check will -

JD Right.

LC - come directly to your wife.

JD Right.

LC The only, the only reason why that, that bank is on it, due to the fact that the bank owns this particular mortgage on it.

JD Right.

LC The bank doesn't own furniture so.

JD Right.

LC Let's say you got 200 thousand in contents damage, 200 grand goes right to you. No, I'm not on that, you, it just goes to you directly.

JD Okay.

LC So.

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JD Okay.

JL Alright.

JD Alright.

JL So you're gonna talk to your uh...

JD So you're gonna talk to the plumber and..

LC Can I get, can I get a key to get back in here.

JD Yeah.

LC - when, when is your wife not here so I don't come here (UI)

JD No I'll just make sure she's out.

LC Okay.

JD You know I'll make sure she's out I'll make sure (UI)

LC Is there alarms here that (UI)

JD Yes, that's why I, I'll have to come and shut the alarms off with the, with the plumber.

LC Yeah.

JD Yeah, no I'll meet ya, I'll just make sure she goes to her mother's a lot so I'll send her down there and I'll make sure. Cause I don't want her here when we're talking about this.

LC mmm, o.k.

JD Okay, I don't want.

JL You're better off.

JD No, no, no. I don't wanna get her involved at all.

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JL No.

JL (UI) what happened, (UI) situation that, you know.

LC Cellphone.

JD No.

LC Voice mail.

LC Excuse me. (UI)

(OVERLAPPING VOICES)

JD Yeah, yeah.

JL Dining room, living room, (UI)

JD Yeah, dining room (UI)

JD I don't have a dining room set though, I'll have to get one.

UM (UI)

(OVERLAPPING VOICES)

JD Right yeah I'll let you guys out this way.

JL Let's go down to the basement too. (UI)

LC Check the back staircase. (UI)

JD Um, and my wife's (UI)

JD That's a bathroom.

UM (UI)

JD No, she (UI) works for me.

JD (UI) does all my billing.

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LC (UI) maid's room, correct?

JD I, I didn't hear you I'm sorry.

LC That office that your wife uses is it like a maid's room, cause there's, there's a full bath (UI)

JD Exactly, uh huh.

LC Right (UI)

JD (UI)

LC (UI) do you like it.

JD Yeah I like it a lot and you know what's great about it?

LC What?

JD You can move it.

UM (UI)

JD You get like weights, and you, you can't move it.

LC (UI) come down here and use it (UI) up there above the garage, and it's comfortable for you, you know it's -

JD Yeah.

LC - coming down here is not gonna, -

JD (UI)

LC - you gotta go out of your way (UI)

JD Yeah. It's a lot of work.

LC (UI) down here (UI). (UI) at least this stuff can be dried out.

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JD Yeah it's...

LC I mean it's outside in the rain in the summertime anyway so.

JD Yeah it's all lawn furniture.

LC That (UI)

JD (UI) Do you think it'll come down to the (UI) too.

LC (UI) I mean the fact that it is (UI)

JD I mean like you said I don't know where (UI)

LC Two thirds of the house is gonna get whacked out so. I mean if all three of them go.

JL Think how long the water's gonna be running for.

LC Exactly.

LC (UI) gonna let it go on Friday you know, send you away, you got a plane ticket somewhere you can uh....

JD (Laughs)

LC (UI)

JD Yeah, that's what Dominick did to me.

JL Hey he went, he went to uh, Florida.

JD He set me right up for that.

LC (UI) money man.

JD Set me right up.

JL (UI) went to Florida

JD Set me right up.

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LC Yeah. This is actually good because the area on top
(UI) (whistle) the house is like the other guy's
house, when this (UI) goes out.

JL Oh forget it, they'll blow.

JL Yup. Yup.

LC (UI)

JD Just outside yeah. Right here. Yeah there you go.

LC (UI) 275.

JD Uh, I think whatever the hell yeah, something like
that.

LC Yeah 275 each. Five-fifty for (UI)

LC (UI) Twenty-five hundred.

JD (UI)

JL (UI)

JD (UI) yeah there you go.

JL (Laughs)

JD Yeah, (UI)

JL Hey, big guy.

LC (UI)

UM (UI)

JD Alright (UI)

LC Let me come back.

JD Get the plumber.

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LC (UI) yeah give me your card (UI)

(walking sounds)

JD (UI)

LC Let me put my stuff on mine.

JL (UI) (Laughs) (UI)

JD (Laughs) Looks like (UI) Dominick (UI)
adjusters...son of a bitch. Unbelievable.

JL (UI) regardless.

JD Alright, we'll talk. Call me, let me know.

UM (UI)

JL (UI) sooner than later, that way I can get the ball
rolling.

JD (UI) subway

JL (UI) there?

JD And it's gonna be...

LC (UI) it's the garage.

UM (UI)

LC (UI) trust me (UI)

JD (UI) shadow

JD Alright give me a call let me know.

LC Be in touch

UM (UI)

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JD See you later, alright, you got it gentlemen.

UM (UI)

JD Okay.

JL (UI)

JD (UI) yeah.

(WALKING SOUNDS)

JD (Knocks on door) guys?

(WALKING SOUNDS)

JD Okay. Sorry.

This is SA Michael B. Hartnett the time is
approximately 7:15 and the recorder is going to be
turned off.

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

26 Federal Plaza
New York, New York 10278

File Number: 281A-NY-289758
Time: 6:53 pm
Telephone Number:
Overhear Date: 2/8/05
Tape Number: 1483
Monitoring Agent: SA MICHAEL HARTNETT
Participants:
John DeBello JD
Lou Cardasco LC
Robin Midollo RM

Abbreviations: IA Inaudible
UI Unintelligible
PH Phonetic

/crd

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This is SA Michael B. Hartnett along with SA John Penza (PH). Today's date is February 8th 2005. The time is approximately 6:53 pm. We're going to make a consensual recording between John DeBello, Lou Cardasco and an Unknown individual.

(Background voices)

(Sounds of television on)

(Sound of a telephone ringing and dogs barking)

(JD speaking on phone...hello, okay, I'm gonna let you in, come in the front (UI) it's the bottom (UI) door alright. Okay...hangs up phone)

(JD speaking to dog...(UI) quiet...dog barking...quiet)

(JD opening door.)

RM: (UI) today.

JD: How's it going?

RM: Good, what are you doing?

JD: What's going on?

RM: Not much.

JD: How you doin'?

LC: Good, is your wife home?

JD: No, no, no. (UI) with ya.

(Sounds of dog barking)

LC: (UI) hydra (UI)

JD: I know I've been thinking about that. What happens if, ah...

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LC: (UI) it'll come just, you know...

JD: Hmm.

LC: ...you get one, ya know, a couple of days in a row and bada bing, and then we let it go.

JD: Alright.

LC: Then you have sixty degrees (UI) and what are you out of your mind.

JD: I know that's what I'm saying.

LC: Yeah.

JD: I was thinking what about fire damage or something?

LC: Well, I'm sure we can (UI) some kind of accelerant

RM: No

LC: No we won't do that.

RM: No you don't want to fuck with that.

LC: (UI) water is worse.

RM: You don't wanna fuck with anything that can be traced.

JD: No, huh.

LC: Let's go.

JD: What do you wanna go to the basement first?

LC: Attic, attic.

JD: Oh, attic.

(walking sounds)

JD: I was thinking about (UI) electric damage... the water is gonna make a huge mess.

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(Muffled voices, inaudible)

JD: Cause then I gotta leave, I gotta....

(Dog barking)

RM: Reminds me of Joe's dog.

LC: Yeah.

RM: Remember Joey?

RM: (UI) Joe's friend's name?

LC: I don't know.

RM: (UI) Shot himself yesterday morning, all my friends were there.

JD: Joe Debello?

RM: No, Cabella.

JD: Oh.

RM: He livesd right next door to Lisa Salvador (ph.).

LC: You okay.

RM: Yeah, what's his name?

(overlapping voices)

JD: Huffin' and puffin' after two flights of stairs..

RM: No, no, (UI).

JD: (UI) problem?

RM: Um, what's his name?

LC: Um....(UI).

RM: (UI) What's his name....John Pa....

LC: Oh John Partana (PH) he killed himself?

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RM: Yeah, yesterday morning.

LC: John Partana!.

RM: What's the guy. Am I saying it right?

LC: The tile, the tile guy on...that lives on Oak (UI).

RM: No, what's the other guy's name?

LC: (laughs), Because I talked to him two days ago.

RM: Okay, what's the guy's name that lives on the corner, right near, Nickels court, Joe's friend.

LC: Oh the doctor.

RM: He was the chiropractor.

LC: Yeah.

RM: What's his name Bob...

LC: Bob

RM: Chemoya (PH).

LC: Chemoya (PH)

JD: He was a chiropractor.

RM: (UI) big investigation, put a bullet in his mouth, put a (UI).

LC: His kids are fuckin' (UI) had some mental problems the kids. The wife is a fuckin' lunatic.

RM: Oh let me tell you something....

LC: That and whatever other problems he had. I know he had some money issues too, but...

RM: I don't know about that, but, but, he's, he fucking killed himself yesterday morning.

LC: I don't care what kind of trouble you have man, you

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can't fucking (UI)...

(overlapping voices UI)

LC: (UI) Hyrda. This is above the master and this is above the (UI).

LC: John if there's anything that you cherish...

RM: (UI)

JD: You gotta move.

LC: Get out of your fucking house like, you know, before we do this. Any piece of furniture sentimental, any kind of sentimental shit.

RM: Pictures and shit.

JD: Yeah, I got it. That's what I'm saying again I mean you gotta....

LC: You wanna (UI) Robbie or what?

LC: By the way this is gone now in Harrison, ya know.

RM: For what?

JD: What do you mean?

LC: Code, with the sprinklers in the house I heard.

JD: You don't have to have them anymore.

LC: No.

RM: Who said that?

LC: Heard it today from, ah, Griffen one of the firemen. (UI).

RM: You don't need to have them?

LC: Don't need to have them. That's what he told me.

RM: Who said that?

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LC: The guy from the fire department, Phil Griffen. He knows Steve (UI).

RM: Yeah. You don't need to have them.

LC: No. New construction.

RM: Don't need to have it.

LC: You better check on the house over here...

RM: I just put it in, I just put it in \$22,000.00. I just put it in, I just finished it yesterday.

JD: (UI) so funny.

(Laughter)

LC: (UI) problems with this fucking house.

JD: Well, let me ask you this, what if I did a little damage.

RM: First of all I want to say two things.

JD: Yeah.

RM: I'm gonna speak out loud for a second. You got black iron up here.

JD: What's that?

RM: That shouldn't break.

JD: You mean that doesn't break usually.

RM: No.

JD: So you can't say that broke then.

RM: No.

JD: And what's black iron? That?

RM: Yeah, see the (UI).

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JD: Yeah.

RM: This is high end stuff, nobody does that.

LC: It's not pvc, it's not copper.

RM: It's not copper.

JD: So Marrienne put high end stuff in this house, you know.

RM: But that's, that's a good system.

RM: That's what I put in my house.

LC: What about all this Robbie, all this copper line?.

UM: (UI) (static)

RM: I understand that, but you gotta make sure it doesn't have glycol (PH)

JD: What is it?

RM: Glycol. It's that...

JD: Oh that anti-freeze.

RM: Which I'm sure she does (UI).

LC: Oh I'm sure she does.

LC: Well, we're gonna recheck.

RM: What, what, what are you trying to achieve here you don't want the house no more? (UI)

JD: See this is the problem.

RM: Yeah.

JD: This is the problem.

RM: This house is going.

LC: That's what we want to do.

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JD: Yeah, hold on let's talk about this for a minute alright.

(staticbreak in recording)

RM: John's face dropped when he seen me get out of the car you know that..

JD: No, I was like, I didn't know you were the master plumber.

RM: (Laughing)

JD: Well anyway here's the problem. Now, I either do all this damage to the house and collect the whole nut on the house and then I got get another house.

LC: Right.

JD: How am I gonna sell this house with severe, with severe water damage. Listen, I don't wanna put in a million dollar claim and I say great guys thanks for the two hundred thousand and now I can't sell the house and I can't do anything with it.

LC: It's gotta be fixed too.

JD: Yeah, you know, it's like the kiss of death and you know real estate in this area what happens if I can't do anything with Brae Burn either. People have said that to me, realtor have said that to me. Oh this house had water damage. Isn't this that big water damage claim. So that's the problem.

RM: Are you gonna keep this house or you're selling it.

JD: I mean I'm gonna try and sell it because of my financial problems.

RM: Alright, but okay...

JD: If I didn't have financial problems I would stay here.

RM: That's what I was saying that's what I thought when

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me and you were talking on the couch I thought you were staying here.

JD: I would like to stay here okay. What has ensued since (UI).

RM: I wouldn't do this house.

JD: Don't do it.

RM: I wouldn't do it. I'd do Brae Burn.

JD: Yeah, but Brae Burn has already been done.

RM: Oh.

JD: I mean Dominic did it, right?

LC: Dominick did very well doing it (laughs).

JD: Which pipe did he break exactly? He broke that?

LC: Copper line.

JD: (UI) not that.

RM: No, no. They'll know if you do this if they investigate, sometimes they don't.

LC: See when it gets cold these copper lines, I mean, I've must've of done fifty of them already this year. You know, ten thousand dollars sometimes two hundred thousand in damages. I mean it just happens. People are away on vacation and fuckin' guy comes back to two feet of water in his basement. Shit happens.

JD: Cause I'm tryin' to think what else can we do smoke damage, can we break a pipe in the basement and say, ah, I don't know that I had some valuables in the basement can we, ah, less damage to the house. Cause truth is my wife would like to stay here if we could, but if I think if I do a million dollars worth of damage here I think the house is done, what am I gonna do with it after that.

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RM: Well, no, then your gonna repair, rebuild it.

JD: Yeah, but then I'm also trying to sell it. So I may...

RM: That's what I'm saying to ya (UI). Are you gonna do it and then, and then rebuild it and then still sell it.

JD: I don't know.

LC: You're gonna have to. You're gonna have to. Your not gonna sell it destroyed.

RM: That's what I'm trying to tell you. Unless it, it, it's an accident. If your gonna do it and take the chance and sell as salvage to Lou, this one or Joe Camatza (PH) or whoever then that's a different story.

JD: I, look, truth is you guys got to take me through the steps and I don't even know what step...

JD: Ah, I don't know.

LC: What, what is your goal on this. What do you want?

JD: When I talked to Liscio I said you know I have some problems and stuff and he said what do you want to do after this. I said, ya know, if I get a couple of mortgage payments I'll be happy, you know, but I didn't expect to leave the house, I didn't expect to...

LC: The whole thing is you're leaving yes, but their paying for it too. Your not, your not the money is not coming from your pocket.

JD: You know it's still stressful.

LC: (UI) the house.

JD: No, I know, I can I have another home, I mean I can...

LC: You can go to Brae Burn right?

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JD: I mean I could move there I mean, but it's still stressful, you know. Is it, it worth that, that's what I have to think about. Is it worth it.

LC: We're here to help, we're here to try and help you out. I mean...

JD: Yeah, I know.

LC: ...you have to tell me what you want to do if that's what you gotta do.

JD: Once we break that pipe.

LC: It's all over.

JD: Exactly. You can tell me if I break that pipe or whatever we do and go away for the weekend and I come back. I don't know if I'm gonna come back oh my bedroom is messed up or the whole house is flooded. How do you know that?

LC: Well you gotta say the whole left side of your house will be pretty fucked up.

JD: Yeah, but it would be like a rental.

LC: You got the continuous flooring. The kitchen is like right off of your yard.

JD: Hold on it is safe to say if that pipe breaks right there...

LC: And you're not home for the weekend you come back...

JD: I'm done with this house you can't move back in or...

LC: You're done with the house for months.

RM: Months, say seven months.

JD: Six, seven months.

RM: Oh easy.

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LC: I wouldn't say six or seven months.

RM: Six months, five months.

LC: I would go four to six. Four being the minimum and six the maximum. You know (UI) your house.

RM: This is the master over.

JD: Yeah.

RM: (UI).

JD: Let me ask you something, let me ask you something. These other ones that you did these houses are as big as this or, or is that why the claim was less. I mean explain that to me. You said you've done other ones that were two hundred thousand, three hundred thousand.

LC: Sure the buyer did, if the water runs for ten minutes or ...

JD: Right.

LC: ...or three fucking days (UI) there's a big difference.

JD: You're saying as a result of the time the water is running.

LC: Right

LC: Exactly.

JD: Alright.

LC: (UI) Like if you're away, let's say you're away... you go away for two weeks and it's fuckin' cold...and someone whacks this out for ya' and they leave.....and then fuckin', ya' know...ya' come back and

JD: So if I break that pipe...

LC: Holy shit, look what happened.

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JD: So if I break that pipe and I come home in two hours I mean then what.

LC: You could have ten thousand, twenty thousand dollar damage. But..if you're gonna put a fuckin' claim in you got a deductible here too correct.

JD: Yeah, don't even ask me what it is.

LC: So...

JD: I have no idea that's Liscio.

LC: I mean...

JD: I don't know.

LC: I mean between me and you...

JD: Yeah.

LC: But you make your own decision - you have coverage. Now the other house we talked about this before last time we were here with John. Whose house, whose name is there on the house.

JD: That was under my name and this is under my wife's name.

LC: This is under your wife the other house is...

JD: On a different policy.

LC: I know it's Royal, it's Royal.

JD: Yeah, I had Royal over there and I have Chubb here.

LC: Chubb here.

JD: So it's different.

LC: That's not good because you can't rent your own fucking house (laughs).

RM: That's what I said, that's what I said to him. Didn't you hear me say that.

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JD: No, I didn't hear you say that.

RM: Oh yeah when you said, when you said I have another house I said yeah, but is it in your own name.

JD: I didn't hear that.

RM: Yeah.

JD: What if, what if, ah...I'm just thinkin'...

LC: What about Scott Circle.

JD: What about Scott Circle.

LC: Who's got that one?

JD: That's Joe Lamanna's house.

LC: That's Joe's house okay. And the other one by his house is that's Danny Forbes' house.

JD: That's Danny Forbes' house I have nothing to do with him.

LC: Okay.

JD: You know we don't...

LC: Any other houses...

RM: Yeah, don't associate with him.

LC: How about the mansion?

JD: That's Joe Lamanna's. I mean I could technically rent it from him I mean...look I'll find a place to rent.

LC: Listen to me...

JD: I mean I have to. I'm just what I'm trying to figure out is...

RM: Stay away from all that. Do yourself a favor stay away from Joe, stay away from this one, stay away

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from renting that house.

JD: Yeah.

RM: Do it all on your own.

JD: Yeah, just don't get involved.

RM: Joe blow you don't know who's house your renting just go out and rent it.

JD: Yeah, just rent from somebody else.

LC: They'll find you something or you could stay at the (UI).

RM: You got kids?

JD: Yeah.

RM: How many kids?

JD: Three.

LC: Three.

JD: I'm just trying to figure out to what degree I want to do this and what are my options.

LC: (Laughing)

RM: (UI).

JD: And what are my options. Like I was thinking of everything. What about smoke damage, what about I'm thinking crazy thoughts like what happens if the pipe breaks, but I catch it in a hour I don't know spray down the some of the sheet rock or something.

LC: See the thing is...

JD: Yeah, I don't know.

LC: But let me put it this way.

JD: Yeah.

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LC: If it's a major claim they're gonna put the top adjuster on.

JD: Like what...

LC: That I associate with.

JD: Okay, alright.

LC: I know him very well and he only handles the big stuff.

JD: Chubb.

LC: Yeah. So he'll be put on it. If the smoke damage claim is fifty, sixty, seventy thousand...

JD: Then you...

LC: Then you may get some other guy, you know, who's not gonna be in the game.

JD: I got ya.

LC: So I can't, you know...I don't know what the number could be.

JD: (UI) let me give you the scenario (UI).

JD: See what bothered me when I found out about Dominic afterwards. But I didn't know that he did that claim at Brae Burn. He did that all on his own behind my back (clearing throat). So what bothered me is I said to myself afterwards (UI) look at this scumbag what he did. He wrecked the house right. Now put the claim in, if the claim got paid and he made his money, he made his money. Right. If the claim didn't go through, let's say an adjuster came in something's wrong here this looks fraudulent he would have walked away from the house and left me holding the bag.

LC: Without a doubt.

JD: Tell the truth.

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RM: Without a doubt, I'm agreeing with ya.

JD: Okay. So now he...

LC: (UI).

JD: ...I know, here but let's say what's bothering me is...

LC: Fuck it, they had people coming from the home office to look at the job.

JD: They did and still they couldn't catch him.

LC: They had a top adjuster who I knew from upstate who approved and took the loss. I gave him a little background, but I didn't give him any details on who the guy was and what he did.

JD: Right.

LC: All that kind of bullshit. Listen, I happen to know the guy... let it go. Obviously they saw the claim (UI) million dollars and (UI) million dollar house.

JD: Sure.

LC: Let's go check this fuckin' job out. So two guys came in they saw the picture of Tony Soprano and they just walked out the fucking door and says just pay the guy. We want nothing to do with this. Just pay him..

JD: Oh they got scared.

LC: They were there a half hour and they left. They wanted nothing to do with guy. They were intimidated, they were.

JD: Yeah.

LC: I heard them talking, you know, pay the guy. We don't want no fuckin' problems. Ain't my fuckin' money the insurance guy says. It's the company's money. Fuck it. Pay it.

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RM: Right.

JD: Let's say it happens here that's what I want to avoid. Let's say the pipe breaks and I'm away for the weekend and I come back and I'm thinking it'll be two hundred and fifty thousand worth of damage. Meanwhile it is a million dollar claim right, right. That's gonna send up flags right.

RM: Yeah. A claim is a claim no matter if it was a dollar.

LC: Yeah, if it's a dollar or a million dollars. .

RM: (overlap).....million dollars.

JD: (UI).

LC: If you live in a two dollar house it's a two dollar claim. If you live in a million dollar house it's a bigger amount.

RM: (UI).

LC: Because you have to add up your furnishings.

JD: Alright. The adjuster comes out and this is guy is gonna come out and you sure it's gonna be him.

LC: Once....see the thing is it's a game.. Once you report the claim, John's gotta, Trieber (ph) was your broker not even John. John co-brokered it with a company out on Long Island he told me. The (UI) Treiber (ph) is a big exclusive agency out in Garden City.

JD: Alright, gotta go through them too.

LC: Johnny's gotta put the claim in and Johnny's got to report the claim a five million dollar house and the claim has got to be hundreds of thousands of dollars. So once they hear that. They're gonna put the big cheese on the job.

JD: I got it.

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LC: He only handles the big cheese jobs.

JD: Alright.

LC: He can't just say it's a little water damage. They'll send any Tom, Dick, and Harry out here

JD: Alright.

LC: I mean it's a claim that's gotta be worth in the hundreds, two hundred fifty thousand dollars. And John, John can say I want your best adjuster, I want your general adjuster. Or you can even recommend the guy say I want Dennis on this job period. I just did a job in Rye...

JD: With this guy?

LC: Yeah, this guy Dennis

LC: The broker called, told his supervisor I want Dennis on this fuckin' job in a hour. Surer than shit, the guy was there.

JD: Alright.

LC: John, you know, John makes the money for the company and he can dictate how the job has to go down.

JD: He can dictate who...alright take me through this now. The pipe breaks, I come home and I see the water damage...

RM: You call John.

JD: I don't call the fire department or, ah, I don't know the police department. I mean...

RM: No, you call, you call...basically you call your insurance company.

LC: Well you call your broker.

RM: You call your broker.

JD: Yeah.

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LC: Call John.

RM: Call John. And you say what happens.

JD: Okay, I call John and what do I do.

UM: And John...

JD: No matter what Sunday night or whenever.

LC: John would either call Treiber (ph) or call Chubb direct.

JD: Okay.

LC: Or he can even call the, you know, the guy and the supervisor...

JD: Alright hold it...what if I come in and the water is running the water is actually still running.

RM: Oh it's definitely gonna run.

JD: Alright, what do that's what I'm saying.

LC: Shut the main off.

JD: Alright, I got to figure where the main is prior to, I don't even know where that is.

LC: It's in the basement.

JD: Okay, I'm assuming.

LC: We'll, show you where it is.

JD: Okay. So I shut the main off so it stops the water.

LC: You'll be running to the (UI) (laughing).

JD: Oh alright. You got to understand, you know, my wife gonna...that's why I threw her out of the house tonight so that she doesn't know what's going on.

RM: Yeah, you can't.

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JD: No, I can't tell my wife. So, alright, I shut the main off and I call John Liscio right?

LC: You say John I had a tremendous pipe break.

JD: Okay.

LC: If you call him on a Sunday, obviously he's gonna report it on Monday cause...

JD: Right.

LC: If he calls the 800 number (UI) Chubb all the calls get re-routed through Chesapeake, Virginia. So you'll get some fucking asshole, okay we have a claim, write your name down, but they're not gonna do anything until Monday anyway.

JD: Right.

LC: So John is gonna call the supervisor in White Plains.

JD: Okay.

LC: Who's ten minutes from here.

JD: Okay.

LC: And say hey listen I have a bad water break I need...it's a five million dollar house. I got a shit load of damage in the hundreds of thousands I need your top general adjuster can you get Mr....on this loss right away.

JD: So he'll call this guy Dennis.

LC: Yeah. Well he'll call the supervisor...

JD: Of Dennis.

LC: Yeah and say listen I need this guy on the loss.

JD: Alright, so he can, he can do that.

UM: John, John has the power to do anything he wants.

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JD: OK, alright, I just want to, you understand, cause I don't want any...

LC: And then, and then, and then what John would do is call me and then obviously the supervisor would say what have you done. Well I call Crystal, Crystal is doing the emergency work for me now. That's it. And just don't...the less you say the better. Just be to the point...

JD: Right.

LC: Serious water damage (UI) hundreds, five million dollar house, it comes from the attic and it's from the hydro air system, the pipe broke. Water is coming down from the attic to the second floor, to the first floor to the basement. Beautiful furnishings.

RM: You have a finished basement.

JD: No. Should I finish it before I do this.

LC: No.

RM: No.

JD: Alright. I just didn't think that the claim of that magnitude you know, like...

UM: (UI).

JD: ...you know, tear a room up. What I was looking to do is like say to you guys, do me a favor, let's tear this room up and come and, look honestly...that's what happened to Brae Burn. When I saw Brae Burn. I walked in I said, looked at the walls and the floor it's not that much. And Dominic even lied to me, he goes this is not that much. Like fifty or hundred thousand dollars. I said oh look at this.

LC: Then the check came in for seven fifty and it's like...how you doin'...

JD: I had no idea.

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UM: (Laughs)

JD: You know he circumvented me with the check.

LC: I heard.

JD: I had no idea, I had no idea that claim was that big.

UM: (UI).

JD: I had no idea.

LC: I'm glad I got fuckin' paid.

JD: I had no idea.

JD: Liscio, the other night, you heard him. What did Liscio say the other night?

LC: The shit I did for him and the money I got for him.

JD: Dom. Scumbag.

LC: The content stuff that he had bought right off the internet. I got the guy to appraisal it at like over hundred thousand dollars. They were worth like fucking five thousand dollars. They were shit.

(Voices overlapping)

RM: Everything...all the chandeliers....like oh cos, these used to be worth this much money.

LC: That cocktail table he had - where that fucking thing fell on it - said it was a gold leaf.

JD: He said it was gold leaf.

LC: Fuck it.

UM: How much?

LC: Forty thousand, they gave him thirty.

JD: For a cocktail table.

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LC: A cocktail table.

RM: and he kept it anyway.

LC: Yeah, well, ya know.

JD: That's unbelievable.

LC: All I remember is the guys sitting around the fuckin' kitchen with the fuckin', with the copper line and saying that this fuckin' thing caused so much fuckin' damage marone (ph) they said.

JD: That's what they said.

LC: Yeah.

JD: Oh they cut the piece out.

LC: Yeah, the plumber had to replace, said you have to keep...

JD: You had to keep like the...

LC: ...yeah, the evidence.

JD: The evidence.

LC: Yeah. I mean it was ice cold up there.

JD: Yeah.

LC: It was fucking cold.

JD: Yeah, so let's talk about temperature now so obviously if it's 52 degrees out...

LC: No,

JD: [UI]

LC: Gonna need a snap of....

JD: So I gotta wait until it's like in the 30's obviously.

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RM: (UI) No, you gotta wait until 18 degrees shit like that.

LC: A couple of days in a row.

JD: Okay.

LC: So now, my question is how we bang the pipe.

JD: Alright, so what do I do, ah, I wait for a...

RM: You ain't gonna do it because you got anti-freeze in the system. This is a anti-freeze system right here.

JD: What do that mean, what does that mean?

RM: That means - how does it freeze?

LC: You sure (UI) anti-freeze in there.

RM: I'm positive. There's nothing surrounding the unit.

LC: How can we check?

RM: I can tell you right now by just looking at it. It's got anti-freeze in it. I know it for a fact. It does, it's definitely. There's nothing around the unit. There's no heat warmer, no nothing around no...(UI)

JD: So it's got to have anti-freeze in it.

RM: It's gotta unless it would've literally frozen anyway.

(JD phone ringing)

JD: Oh shit that's my phone. That's what I'm saying now how do you get around that.

LC: Good question.

JD: Who broke Dominick's pipe? I mean he did an unbelievable job. They believed the hell out of him.

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LC: Someone did it.

RM: He drained the system and pumped it back up with water.

JD: Ah.

RM: And put a screw in it and when the screw, the cold thing hit the screw, the screw ice (UI)

LC: Fuckin' thing split

RM: ...and split the rest of the pipe.

JD: No shit.

RM: He had regular water in it. He went to Florida nobody knew nothing and he knew, he, he knew, he knew the whole, the whole procedure.

JD: Yeah, he set me up to go with him.

RM: He did the alarm and when the system breaks like that you're automatically notified by the alarm company.

JD: Okay.

RM: That was disconnected (UI) the phone call they happened to working on the basement so the guy must've removed the thing off the alarm box. Let the fucking water run. Robert periodically went back and forth, checked it and it had enough, and it hit the basement and that's when they made the call.

JD: So Didonanto went and checked it.

RM: Absolutely he was checking it.

JD: Yeah, he was right.

RM: He was. Oh definitely. He was.

LC: He was the one who called me.

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RM: Who called you?

LC: He did.

RM: DiDonato.

LC: Yeah.

JD: He called you first.

LC: Yeah. Fucking live around the corner so (UI) don't give a fuck.

JD: You see I didn't even know it. I figured he was in on it.

RM: Let me tell you something I had nothing, I, I, I just don't like it, so I don't even waste my breathe talking about it.

JD: No, you don't need this too.

RM: It's not worth it for me. I cut my losses.

JD: But you what's funny I always knew that. I always said man he's down deep with DeVito.

RM: Oh yeah.

JD: Yeah.

RM: Well let me tell you something he's, it's not over and neither with Forbes, it's not over.

JD: What do you mean?

RM: Like in other words their, their coming about it's just a matter of time. It could be a year, it could be up to I think four years to come get you. Four years.

(Cell phone ringing)

JD: Oh for these guys. You mean for someone is gonna get them.

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RM: Oh yeah.

JD: Yeah, why do you think Dan Forbes is ah...

RM: Dan Forbes...

JD: You can tell me I don't give a shit. I don't like Dan...

RM: Dan, I'll tell Dan Forbes if he was standing right here he's a piece of shit.

RM: He's in on it...he's on it with them guys.

JD: Yeah.

RM: He's still a nut. And, and I'll tell you to be honest with you John, I'll shoot it to you straight, I don't trust Joe, Joe Lamanna either. I know Joe is a good friend of yours (UI).

(Static - UI conversation)

JD: It looks that way.

RM: (UI) You know...with the house in the back, with all the grief he's giving the woman I'm building the front house for. And it just don't add up.

JD: What, what the house you're building you mean.

RM: Yeah, I'm building a house for the woman Nancy in the front.

JD: Oh yeah.

RM: He's giving her so much of a hard time that they're making...

JD: Oh is he, I don't know nothing about it.

RM: Unbelievable. Man, she's doing nothing wrong.

JD: I mean you got to understand is that Joe got stiffed there.

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RM: Oh Joe got stiffed big one.

JD: Let's be honest.

LC: He got left holding the bag.

RM: He got left holding the bag.

JD: So let's be honest...

UM: (UI).

JD: ...so I mean how do you expect the guy to act when he's going down I mean...

RM: Yeah.

LC: He's, he's, he's got a lot of stuff in mind.

JD: Yeah, he's going bankrupt. I mean you gotta understand that. I mean that's a....

(Voices overlapping)

RM: I didn't know that, I didn't know that. Okay so that's why he's (UI) I thought he was (UI) guy.

JD: No.

RM: I, I, I really believed that after all the, all the shit that was...

JD: Do you know what they're doing to him at that mansion, they stole the cooper gutters, they just broke windows. You have no idea. They harassed him once a week. You not gonna tell me Dominic is not behind that. Of course he is, of course he is. He harasses him once a week. The only reason they haven't done anything to Brae Burn for what I assume...

RM: Because of you.

JD: No, no, no, you know why, because he thinks he's gonna come back and steal the house from him somehow. He thinks I'm gonna go into foreclosure

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just like he told me about you that time.

UM: (UI).

JD: What did he say you remember the words I said, he goes, Robbie is gonna run of money soon. He thinks that's gonna happen to me.

RM: Yeah.

JD: Yeah. So I said yeah, sure, have a nice day. I'm holding on man, I'm holding on.

RM: Yeah.

JD: Longer than he thought.

RM: Oh yeah.

JD: That's what he thought. But as soon as I knew he was a piece of garbage I told him that. Dominick never do anything (UI) from (UI) I'm running. He's a piece of garbage. But I knew Forbes is frontin' stuff for him you know that.

RM: Managing property, property in Greenwich.

JD: Oh he owns a property in Greenwich.

RM: Oh he's got property in Greenwich...

JD: For Dominick.

RM: For Dominick, yeah.

JD: Didn't he get, did he get a house in Florida too?

RM: That I didn't hear. I heard from the day you told me.

JD: Yeah.

RM: But I never heard that. To this day I've never heard that, I only heard that from you.

JD: Alright.

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RM: But, ah, so I don't know if that's true or not.

JD: But they bought property in Greenwich.

RM: The property in Greenwich and I know the property up in Fishkill. All that shit with Bud and stuff. That's why I got all out of there.

JD: Well, yeah, you had to get away from those guys.

RM: It's been, it's been almost three years.

JD: Well Bud and him are doing...

RM: Doing deals.

JD: Oh absolutely I know that.

UM: Oh yeah. That's why I got out of Bud.

JD: Ralph Berrardi (ph) I don't like any of them.

RM: I hate them guys. I said here's your money (UI).

JD: You know they all doing the legal stuff.

RM: I took my, I took my hit, I took my hit and I left.

JD: That's what they do. They take a guy like you...

RM: Oh yeah. Well he knew, he knew because of my cousin Val, he knew, he knew I had money so he came to me...

JD: See that's what happened to me.

RM: Just like you. He came to you John help me out we back a long way. Come on we knew Dominic since he was in fucking you knew Dominic since he was in kindergarten.

JD: Basically.

RM: Basically right. At least Joe did right.

JD: Yeah.

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RM: Right. I mean we all grow up together.

UM: (Coughing).

RM: So it was like when, you know, when he did that I was like fucking floored man I said to him...

JD: But you never expected that.

RM: He called me up six years ago I remember it to the day. My wife still tells me that was the worst fucking phone call you ever got. Cause I told him he goes cousin I'm living in Purchase now. I said bud you don't belong here get the fuck out. Just like that I told him. Just exact my words. And my cousin Val told me you don't know him he's not the same person. And I couldn't believe he was...

JD: (UI).

RM: ...I wouldn't have believed him until it happened to me. Then I just zapped out pulled all my money out and got my money back. You know they wanted me to do that deal with the mansion and I said nope give me my money back. Then I knew when he wasn't giving me my money back I said this guy is gonna fuck me out of my money. Sure shit that's what he did. So I left, that's why I threw Robert off my fuckin' house. I threw everybody out of there. I got everybody out. I own my own house, I own my own property and everything. I got rid of Bud, I rid of Ralph Berrardi (ph.), I got rid of all those fucking guys. Because they were fucking two face.

JD: Well you know they were in with those guys.

RM: I know they are. You see what they did to that old lady up in Fishkill.

JD: I know.

RM: They stole the property from her like that. That takes a, that's a fucking scum on a bottom of the barrel to do that to that little old lady. Fucking takes a (UI) smoke cigarette and fucking screw her out of her fucking money. She has no family no

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nothing and sons no nothing. She said what the fuck is wrong with you.

JD: That money was...

RM: Bud's a piece of shit.

JD: Hmm.

RM: I got the fuck out of here John. That's why I told you sincerely when I came and sat down in your dining room that night that me and you talk. I said sincerely right to ya stay away from the fucking guy. Cause I still thought you was being...

JD: No, it was after the fact you know.

RM: One of my friend's Suzie called me and she said how are they. I said no Antonella and John are real people. Cause they were afraid to take these houses.

JD: I know.

RM: She was fucking deathly afraid.

JD: I know.

RM: I said no they're real people. I said I don't know too much about Joe because I really don't know Joe.

JD: Yeah.

RM: I really don't remember Joe when, you know, I really don't remember him. And that's why (UI).

LC: Dinner Saturday night.

RM: Yeah.

JD: Oh really.

RM: I just cut my lawsuit Dominic (UI) fuck me he's no good.

JD: No, he's a piece of garbage.

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RM: Remember in the kitchen you wanted to buy my house.

JD: Yeah.

RM: What did I say to you.

RM: You walked away.

JD: Yeah, I knew...

RM: I knew he was settin you up. And here he is and I'm saying to myself what you do this is your fucking good friend and let alone forget me throw to the curb cause you already fucking ruined me, you know, I'm related through your marriage. I knew you twenty fucking eight years. Since you were fucking eight years old. What are you out of your fucking mind. I'll fucking kill ya. And, and he was like he was putting you in a fucking mix all through the house and John is gonna buy your house. He's not selling to John. Trust me I ain't selling to John that's all. To protect you I didn't even really know you that way.

JD: (UI).

RM: I knew you and we hung out. so I said to myself, this guy is no fucking good. And I called the fucking shot from day one. Day one I told, I told a buddy of mine John, I was with him down in the Bronx. And I told him I said (UI) (static) throw him right in front of the fucking bus and I never forget me and my wife were down two years ago on Arthur Avenue (UI) on line getting pastries, you threw your friend in front of the bus, huh. I said I knew their real people I said. I told ya he's a fucking piece of shit. And I see Dominic before he come talk to me before he went jail and I knew it. He couldn't even look me in the face. I said have a nice time I'll see you in a year and a half when you get out and we'll sit down and a fucking real talk. And I heard he was getting out, but now someone told me September. Two years they said.

JD: Really.

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RM: He was only doing. Not five years or something like that.

LC: Three and a half I heard.

RM: Oh it is three and a half. Well someone told me he was getting out in September.

JD: This September.

RM: This, this September, 05. He went in November, right. November.

JD: Beats me.

RM: Best thing to do like I told (UI).

LC: (UI).

JD: No I wasn't gonna take his shit, I wasn't part of his group. I never signed up.

LC: Um hmm.

JD: I didn't sign up, I didn't make, I didn't put John Hancock on the paper.

LC: Thank God.

JD: No...

RM: Cause you wanna know why.

JD: I'm not one of him. I said no way.

RM: Fucking, he's fucking bad news.

JD: You know let me tell you what a liar he was (UI).

RM: I got my old phone line. You wanna see (laughs). What's that say, what's that say?

JD: (UI).

RM: Bad news when he calls (laughs). I just had to get my old phone out of reitrmnt (laughs). He's still

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in my fucking phone.

JD: Unbelievable.

RM: Fucking bad news.

JD: He's just a piece of shit.

LC: It's all about him man.

JD: So what I don't know what should I do. Wait for, you know, a cold spell.

JD: What happens if a cold spell doesn't happen now?

LC: No, it should.

JD: Well, you know...

(overlapping voices)

LC: (UI) anti-freeze issue that's the problem now.

JD: Why don't you research it and get back to me as soon as you can so when a cold spell comes...

RM: All you got to do is practice.

JD: ...we got the answers.

RM: He, he, he's got to go practice (UI) go downstairs (UI) backflow system.

JD: You're asking me, I don't know.

RM: Should be, should be and, and you know your lines are protected to isolate it from domestic water coming into the house.

RM: It's gonna have to go through a backflow (ph.) system.

JD: Oh it's a separate system.

RM: Separate system it's gonna...

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UM: (Coughing)

RM: ...thing on the bottom and it's gonna feed these mains. It's gonna feed this, and it's gonna feed the sprinkler and the units. See all this, all that...

JD: I'm looking at it now. It's all connected.

RM: It's all connected (UI).

JD: Alright.

RM: They don't have them.

LC: (UI)

RM: They don't have them, they don't have them.

JD: Oh, then it's easier to do?

RM: Unless you drain the system and pump it back up with fucking water and then definitely gonna happen without a doubt.

JD: Then it's just a matter of time.

RM: It's just a matter of time. One day your gonna be sitting down and having...

JD: Yeah, but I need someone to do that for me. I'm not Dominic I don't know. You got to show me where the main is at. I don't, I don't know.

LC: Get someone to pump this baby up.

RM: That's what you gotta do...drain it.

LC: Can't have a fuckin' fire.

RM: No, no. If you, if you, if, if, if you plan on this is the house you plan on keeping (knocking) I will, I'm just speaking (UI)...

JD: No, I know.

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RM: I personally wouldn't fuck with this one, I'd fuck with the other two.

LC: The other one you can't cause you already had a fuckin' enormous claim already.

RM: What about the one in Scarsdale you just got?

JD: I don't have a TCL yet. (UI) Dee Carnavale from Dominick Devito. You don't know my life right now man.

RM: Dee too?. I thought he said he broke away from that.

JD: Oh, yeah, let's see now the construction is supposed to be done in July, finished. May came when I told him to have a nice day and threw his wife out of my house. All of a sudden my construction stopped for six months. Let's see how did that happen.

RM: Hmm.

JD: Right to the day. Literally right to the day.

RM: Really.

JD: I literally, I called ...

RM: So that house in Scarsdale is not finished.

JD: No, I'm getting a TCL soon. The only reason (UI) cause he's feeling the pressure from my attorney. I literally pay my attorney thousands of dollars to call him every day.

(Coughing)

JD: He shows up at his office, he tells him Dee if you don't finish we're gonna sue ya. It's gonna be a major problem. And we're just gonna harass you until the end don't do it, don't do it.

RM: Shit.

JD: And Dee says oh no, no, no, I'm not doing it for

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Dominic really. But this guy comes up a new problem every week.

(Coughing)

JD: (UI) building. How long is it gonna take you to finish this house?

RM: This one right here.

JD: Yeah.

RM: Hopefully I'll be done by September is my due date.

JD: Yeah.

RM: September 1st.

JD: Alright, so five thousand square feet should it take, ah, sixteen months.

RM: About ten months.

JD: Okay thank you.

OVERLAPPING VOICES: (UI)

JD: Okay. So I'm over, I'm really over four to six months. So why does that happen?

RM: So you're eighteen months there.

JD: Why is that happening when I owe sixteen thousand a month on the house. Let's see so they can hurt me.

LC: Their trying to take the house.

JD: Oh yeah that's his game, you know that's his game.

LC: I know his game.

UM: (UI).

LC: I know his game.

JD: Why do you think he's not damaging Brae Burn, cause

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he's thinks I'm gonna go bankrupt and he's gonna pick it up for a song through Dan Forbes, tell the truth right. He's gonna pick it up through Dan Forbes or Robert DiDonato and he's gonna walk back in and say see I screwed him out of the house too. You know that's what he wants to do.

RM: (UI) you know the guy is, is don't take the money.

JD: No, I already know that.

RM: He, he is a genius when it comes to scheming...

LC: He's an evil genius.

RM: ...he masters, he masters it, he masters it.

JD: Who's better than him tell the truth? No body.

RM: He fucking, let me tell you something he fucking some (UI) big shot attorney. He fucking (UI) and I was there.

JD: Lou Cherico, Lou Cherico tell the truth.

RM: Yeah.

JD: Tell the truth.

RM: He fucked with Lou, he fucked with Lou, he fucked with Lou. No question about it.

JD: What did he do with Lou in the front lot.

RM: He got him, he got him for four hundred thousand, charged Nancy four hundred thousand dollars. He pocketed that money.

JD: This is Lou Cherico who's a...

RM: Big time.

JD: ...let's say he's a mob attorney.

RM: Oh he's fucking big time yeah.

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JD: Okay. Lou Cherico who's pretty slick. Is Lou Cherico slick.

RM: Real slick.

JD: Real slick, real slick. He took him. I, I was like a sheep. I, I, I who knew, I had no idea. That's what I was saying with Joe. We were two sheeps. We had no idea. At least, you know, at least Lou (UI).

RM: See I didn't know, there again I didn't know Joe like when I knew you, like I told you the day, the day in my house I'm saying to myself why is fucking Dominic doing this with John man.

JD: Like the two of you.

RM: Yeah the two of you. I'm saying what the fuck is he setting this guy up for.

JD: (UI).

RM: I was fuckin' floored. And when I went to the widow's house and when he said come check the widow's house out before you got involved in it when, when you said this is the house I'm gonna buy and all his shit and when it went down. And I'm saying to myself you fucking with this lady and she, she is so vulnerable right now and he was fucking dwelling on it and feeding on it. I'm saying you fucked her out of two hundred and fifty grand. Fucking got her too man. He got her good. He made a whole paper put the note (UI) subordinate to the second and he fucking never paid her the money under the table. He fucking took it. And she had to go after him. And then when that check came I think, I think that's how she got settled is from the check that she was on the lien or something.

LC: (UI).

RM: (UI) yeah (UI).

OVERLAPPING VOICES

LC: I'll tell you what happened (UI) okay but now I know

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the story (UI) damage. He knew she would be on the check and he said something like you better (UI) fucking money or shut your mouth. They had little act before the insurance people came. You know good cop, bad cop we'll make this thing go away.

RM: Yeah, because he knew and he knew, he knew he tried to out smart the lady and he knew that she hired a fucking good attorney and Dominick was running real scared and shitting in his pants how the fuck I'm gonna get out of this and he pulled it off and he got out of it and he pacified her, pacified everybody

LC: (UI).

RM: That's how he fucking thinks.

JD: He's unbelievable man.

RM: Fuckin', his mind is constantly thinkin,' constantly thinkin'.

JD: He's unbelievable, he is better than a lawyer.

RM: I told ya (UI). I'm telling you right now, I don't know about him passing the bar, but I'm telling you right now he has...

LC: (UI) law degree.

RM: Huh?

RM: (UI) he's gonna come out with one, he's gonna come out with one.

LC: (UI).

RM: Yeah.

LC: And he bought it.

RM: Yeah, that's why I won't fuck with it though.

LC: So what I'm sayin', why the fuck did he, why did she sell the house and she tried to fuck him the

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first time.

RM: No, no, before he bought this house he tried fuckin' with her. Then after he did this house then he bought Brae Burn. See Berliner bought this house and she lived in this one. Then she sold it to some guy...

JD: What do you mean, this?

RM: This house...

JD: No, she sold it to someone and I bought it from someone else.

RM: You bought it from somebody else.

JD: I bought the other one for Maryann.

RM: Yeah, yeah, you didn't buy this one from Maryann. Maryann sold this one. You bought this off the second guy actually..

JD: Yeah.

RM: That's who bought it off. Cause my buddy...

JD: The first one I bought off Maryann.

RM: My friend bought the first one.

JD: Yeah.

RM: And he sold it right away to this guy and you bought it off the guy. That's how that went down.

JD: Yeah, yeah.

RM: Yeah. But Maryann he, he, he, you know, she got out...

JD: Ah, cause I bought that house.

RM: You bought that house.

JD: It was my house always.

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RM: No, no, no I know that, I know that.

JD: What he wanted to do was when he say when we make some money off these other, um...

RM: Deals.

JD: Deals. He said I want you to sell me the house at cost. I said okay. No problem. I said I'll give you house at cost.

RM: Right.

JD: But he must have had, now I'm learning stuff too. I didn't know he dealings with Maryann behind my back.

RM: Oh absolutely he did. He tried, he tried to do the deal, he tried to do, I'm gonna refresh your memory. He tried to do the deal on Lincoln Lane that I bring to him three years prior before he did anything to me. He tried to go back after I got out of the picture he tried to go to Maryann and do, um, Lincoln Lane, you know...

JD: So he knew Maryann from before.

RM: Oh yeah.

JD: I didn't know that.

RM: Yeah.

JD: I didn't have any idea.

RM: He knew Maryann...before he met you, before he got you involved he knew Maryann a good eighteen months.

JD: I had no idea.

RM: Cause he was dealing with the two, you know the guys over here, the builders over here, um, ah, Richie Dinunziado (ph.).

JD: I heard those names, yeah.

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RM: Were ya,' who's that your wife's uncle the (UI) yeah.

JD Yeah.

RM: (UI) Purchase Estates.

JD: Yeah, Larry Newman.

RM: Larry. He bought off Dinunziado (ph.)

JD: (UI) oh yeah, yeah.

RM: Dominic was in with them guys.

JD: He was.

RM: Oh yeah. He tried to get the lots and he threw DeVito out of Purchase Estates. He threw him out. He said get the fuck out of here. That's why Dominic got all that problems. I mean they seen right through him. Those big guys seen right fucking through him.

JD: What guys, the contractors.

RM: The contractors in there.

JD: Cause they, they, they fought him off.

RM: They, they got rid of him real fast. They through Richie Dinunziado (ph.) all of them guys out of there. He built them three house and built your uncle's house and that's it he was thrown out of there. Ya know all the other guys came in. I said Dominic, man, you making a lot of (UI) get the fuck out, be low key. He goes I'm gonna buy the mansion. I said oh my God. When he bought that I said he's finished. Cause when he first came back and moved in he bought my friend's house off (UI). He bought his mother's house on Century Ridge.

JD: Yeah, yeah, yeah.

RM: And that poor lady can't sell that house she got like seven liens that were never recorded, she can't

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sell the house.

JD: He did that to the woman too.

RM: He did that to that woman. She wants to kill...her husband wanted to kill him.

JD: No kidding.

RM: She wanted to kill him.

JD: He never put a claim in over there. I betta he broke a pipe over there.

RM: Oh I don't know, that I don't know.

LC: I wouldn't doubt it.

JD: No.

RM: No, I don't know (laughs) that I don't know, but, ah...

LC: (UI).

JD: That's what he does.

RM: This is how he outsmarted everybody. I went to a closing and I, and he goes your gonna, your gonna buy the house and you gonna flip it to me. Well me and my attorney go to this closing right. I go down there and I put my house up and get the money and gonna buy this fucking house. I said wait a minute this lien is not satisfied...this lien is not satisfied.

JD: Yeah.

RM: Dom goes don't worry about it come on outside (UI).

JD: (UI).

RM: Yeah. Come back. The guy comes back in...

JD: Who's that. That guy Howard.

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RM: Yeah.

JD: He uses the same guy every time.

RM: Every time, every time.

JD: He pays off Howard.

RM: Five million boom, sits down (UI) guy overlooks the (UI) that's what happened with Didonato

JD: No shit.

RM: (UI). I had a, I had a, I had a lien against the house for Forbes' house. Bud was in on it that's when I threw that's when I said Bud's no good. Bud's no good because Bud wanted my fucking house. I said how much I owe you. (UI) one point seven and said to my friend I'll give you a million and half dollars. He said for how long I said one year. He gave it to I said Bud I'll see you later. Your not fucking taking my house man. And that was it. And I've been there ever since.

JD: I heard that, ah, Dan had liens at Oak Valley and he got them relieved. Did you hear that.

RM: Yeah, I was just saying that, that guy did it.

JD: Howard just did it now.

RM: They just did it, they just did it maybe three months, four months ago.

LC: You know next time comes around you got to do a thing (UI).

RM: (UI) something is very wrong.

LC: (UI) fucking (UI).

RM: Everybody that you think that you know I, I see right through, I went just like this boom, boom, boom, boom, too fucking smart for these guys. And the only one that got me is Dominic and Dominic knows I was too smart for him. Dominic knew in the

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long run don't fuck with me. I'm not gonna fuck with my cousin. Because even though he called me his cousin because marriage and everything. He knew he wasn't gonna fuck with me and everybody said you ain't scared of Dominic. Me and Dominick go head to head he ain't gonna never fuck with me. Never fuck with me.

JD: What's is (UI).

RM: Dominic no...he's, he's...

JD: No, cause...

RM: No he ain't gonna fuck with you. I mean he ain't don't think I...

JD: I threw his wife out of my house.

RM: Yeah, but I wouldn't worry about it. Trust me I wouldn't worry about it.

LC: Wannabe.

RM: Yeah. He knows, he knows, he knows people, but there's always somebody else who knows somebody else a little higher than him and you know...

JD: Cause ya know when I went to see him in jail he saw like that I was starting to go away from him.

RM: He got nervous.

JD: Oh he started throwing shit at me like who he was and you know like you know he didn't say any thing against me. Like don't do this or I'll kill you like you know when I get out I'm gonna be like a made guy. I'm like whoa...I don't wanna hear from things and this, this trouble.

RM: Yeah.

JD: This is trouble, you know.

RM: When they talk like that they ain't nobody. People who don't talk them are the people that you gotta...

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JD: I, I mean he was talking up a storm about who he was and he got his stripes by going to jail that's the way he felt. He felt he's gonna do his two years.

RM: Oh yeah.

JD: And he's gonna come out beating his chest and you know who's better than him.

RM: Right, right, right. He's taking a smack on the chin right now.

JD: Oh yeah.

RM: And he's gonna come out, but guess what he just did he throw all your good real fucking people in front of the fucking bus you ain't a fucking man, he ain't no fucking man.

JD: No.

RM: And your hiding behind the system and you got fucking eleven million dollars, fifteen million dollars (UI) fucking Johnston family trust and fucking accounts I mean come on Dom ...

JD: You think he has that much money.

RM: Him. I bet you if he ain't got eleven, ten million he ain't got a million dollars. He got none.

JD: He does.

RM: That, that I can assure you I know.

JD: He does, huh.

RM: From a very, very good source, but nothing is in his name. Come on Sherri's driving the S500 again.

JD: I know.

RM: How do you figure that out.

JD: We're all struggling and she's...

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UM: Come one we're all struggling and all of a sudden (UI) you start working. When my cousin (UI) had that big painting contract for (UI) he was making a ton of fucking money. Then he got hooked up with all them guys down in the city that's when he fucking changed. That's when he (UI) all the fucking started playing around with the girls and you know, he always wanted to have something like say, say you, you know, like all us guys are all the same family based come on we'll hang out and (UI) take me to the strip bar. Go take care of my friends don't you get it. Yeah, yeah, she's sucking my dick. Boy, now he's got something on them. Now he's got that thing (UI). That's he wants, that's how he operates. That's exactly how it fucking happened with my cousin...

JD: With the video or something.

UM: My cousin Val use to tell you have fucking no idea, you have no idea. I said Val tell me fill me man. It's been such a long time I, I when he told me he lived in fucking Purchase that's the first thing out of mouth I told my cousin Val. I said Dom (UI) get out of here. You do not fucking belong here, you do not fucking belong here. Get the fuck out of here.

UM: (UI) fucking (UI).

JD: So John paid the crew and then he suppose to pay them and he didn't.

UM: Yeah, he never compensate that's the...he did it to my sister-in-law, he did it to my sister-in-law.

JD: I was just saying this like...

UM: They threw him out of the (UI).

JD: (UI).

UM: They threw him out of the office. My brother, Freddie threw him out of the fucking office.

JD: What do you mean? Oh insurance.

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UM: He (UI) with the insurance when he had the dry wall company.

JD: Oh he never paid his premiums.

UM: He never paid his premiums and then, then he eventually he use to pay them at the end. He use to pay after all (UI), but still...

UM: (UI) heart attack. He's completely stress out.

UM: Stress out at least for the last eighteen months.

UM: Stress out.

UM: For the last eighteen months.

UM: You mean you got fucking people breathing down your fucking neck (UI). (UI) fucking (UI) you want to associate with guy like that. I got my (UI). That was the thing that fucking happened to me, the best thing. Pick up one day and fucking never forget. After I got him out and I fucking beat me out of the last hundred (UI). I said that's the last hundred thousand dollars (UI). (UI) him to bat. This one came to bat. Everybody came down to bail him out. Patty and Sonny got me in the fucking car. Drove me down there fucking went in there. Dominic (UI) my cousin blah, blah, blah, hundred thousand and that's the (UI) fucking hugging and kissing me. I'm gonna pay you back . I'll fucking give you my business to you. We go back a long ways. Dom just do me a favor don't ever fuck that money out of wife because if she finds out I'm fucked.

JD: He did.

UM: He did. He fucking did.

JD: It's the same statement (UI) about helping...

UM: Even to this day he can't say that I'm not a stand up guy cause I fucking (UI) have a good life you fucking lost it. You lost a real friend that's thicker than blood, water and fucking never ever tell to the day that I die right now that the shit that me and you did. I would never ever fucking

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tell you fucking throw me in front of the bus. I cut my (UI). That was it. That's what I do now.

JD: He's a piece of crap man.

UM: That was it.

JD: (UI) like you said how does he sleep at night. I just don't understand.

UM: (UI).

JD: I just do not understand it.

UM: He has a sickness the fucking guy. He...

UM: (UI) thought process.

UM: Yeah, (UI)...

UM: (UI) in a game.

UM: He wouldn't think twice about this you know why he can get over on fucking honest workers. He can get over cause...

JD: Well your not looking and your working twelve hours a day.

UM: Yeah. Not realizing thinking your doing (UI) in his pocket and he makes the appeal so good.

JD: Oh yeah.

UM: And, and I saying to myself Dom I'm not in the (UI).

JD: Oh yeah.

UM: Then after a while I'm saying to myself one, two, three times, I'm saying you should (UI) what's going on here. Then I started saying let me back up. And then I started backing up and started seeing it and just (UI) he's a fucking.

JD: He's unbelievable, huh?

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UM: But was (UI) I got fucked. I bought (UI) property with a lien on it no body knew about because of that guy.

JD: Howard.

UM: Howard.

UM: Howard.

JD: That's how it happened here..

UM: That's how it happened to me and you know how I pick it up (UI) and the only reason why because (UI) panic and called me up and he was fucking panicking. (UI). I bought a clean piece of property...

JD: So (UI) is gonna have (UI) too.

UM: Oh yeah. When I went to her she...

JD: Somebody should get trash on her. (UI) for her.

UM: I said Sherry where's the fucking money. Where's the money. We don't have no money.

JD: Yeah, it's always (UI).

UM: Yeah. I said Sherry it's impossible I know (UI) fucking cash. Don't tell me where's the fucking money. (UI). Give it to my friend. My friend is gonna give you the check in return and get the fuck out of jail, you know and one thing lead to another and I said to myself then the fucking guy is blaming me upstairs. (UI) down to the two attorneys. (UI) so I sat down and he said your property has five hundred thousand dollar lien on it. I said what...

JD: You must have hit the floor.

UM: I fucking my heart went into my stomach. I said (UI) and we ain't gonna foreclose because we see you struggling building the house. We can't believe you got involved with him. I said well I'm not (UI) with obstruction I was (UI) with a lot of (UI) guys and that was it. So I went to the person that owned

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the fucking property through Dominic and I said to Dominic I got to get this motherfucker (UI) and I said to Dominic you scumbag you fucking told me that there was no lien my attorney did a fucking title search and it came up fucking (UI) because it was never recorded. And when the shit hit the fan the guy just went like this (UI).

JD: Oh man.

UM: (UI) overrides the bank you know. Overrode my bank, overrode my fucking bank.

JD: So he put a lien in your favor now.

UM: So that's what happened. So he did that listen, listen what he did. He did that. I said no problems I had it out. He said I'm gonna make it up to you, I'm gonna don't worry about it thing and that.

JD: Yeah.

UM: I said alright (UI). He was already telling my partners I said stop right there I'm not your partner. Never was and never will be. I said and I said (UI) bought a lot and (UI) and now you fucking and I didn't buy off you. I bought it off a friend so I had to go to the owner of the sub-division, go to the owner of the sub-division and buy the property. Rebuy, refile, rebuy the property and spend five hundred, four hundred and fifty thousand dollars. Out of my fucking pocket. Then (UI) that's when they got me and I was already got involved with Bud. Not knowing that this happened, but Bud knew for (UI). (UI) fucking (UI). Don't worry Dom we'll get the house back for you if you want his house. Cause we already know the loop holes not knowing. And thinking I was fucking some guy that came down with the ring and didn't know what the fuck was going on and when I found that out and I went upstairs and file (UI). I fucking signed the notes here it is, here's your money you will get paid. (UI) sold my house and paid everybody off and now I own my fucking house.

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JD: See Bud's trying to squeeze me like that.

UM: Oh Bud's definitely trying to squeeze you.

JD: (UI).

UM: You can't John, John you can only carry the juice so much. It's gonna fuckin' (UI) it's gonna bite you in the ass, it's gonna bite you in the ass.

JD: They're trying to take my house.

UM: That's what they're trying to do. I, I hate to say it, but that's what they're trying to do. Not (UI) straight. I've been there, I've did that and I, I came from...

JD: (UI) and Bud are working together I think.

UM: Oh their definitely are, their definitely are. Their slowing it down on you because they said for one month goes by (UI) got to pay the dues. Next month goes by I got to pay...you ain't gettin' no further. Six months he's fucking hold you up that's six months of fucking (UI).

JD: Oh yeah.

UM: (UI) will kill ya. You can't fucking do it. If you have a deep pocket you can't do it.

JD: They set me up for that right now.

UM: I thought you sold the, I thought you sold (UI).

JD: No, I got (UI) into do it. I think I got talk into building because they're gonna set me up. And Dominic knew that he was probably gonna get money from Bid for setting me up.

UM: I wouldn't be surprised Bud, I wouldn't be surprised if Dominic had piece of construction from (UI), and I wouldn't be surprised if Bud got a kick back from Dominic on the big end of it of...

JD: Of (UI).

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UM: Yes taking the twenty. And you know, you hear, when you hear first thing, first thing he knows it's guilty as soon as they say it. Well, we'll gonna (UI) this as points and this what your gonna pay up front and your gonna give it to me come in the office. Then you knew. And that's when I knew. And I said just like this I said trust me there's no prepaid penalty cause I'm getting out of the red and I'm satisfying this (UI) that's fucked up and, um, I'm gonna do this satisfy and I will take you out and Bud goes I'll never forget the smirk on Ralph (UI) face.

JD: He's a (UI).

UM: (UI) he a little wise punk. He's a wanna be, he's a wanna be fucking wise guy. (UI) (static) when I went in there with the fucking check for (UI) I said he goes like this we ain't pressuring for the money.

JD: Yeah.

UM: I said don't worry I'm gonna finished the house myself. How you gonna finish it where you getting the money. Don't worry about it thank you have a good day.

JD: Right.

UM: Just like that. I said hey Dom (UI).

JD: He thought you were...

UM: He thought he had something and he couldn't believe it. I dropped a million and half dollar check on the fucking table. The fucking (UI) here. Lou will be back with the fucking closing. I fucking went right in there and said Lou go down there and close it and you make sure you give me my hud one. And fucking make sure all my liens and everything is off my fucking property. He fucking did it. He went down there and said (UI)...

JD: You know you just confirmed it I knew they were squeezing you.

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UM: Oh yeah.

JD: I said that.

UM: Lou knew why he was there and Lou said after all set and done he goes why did you take the fucking young man like that an honest business man busted his ass (UI) his kid and you fucking took advantage (UI) cause that fucking piece of shit. That's what he is a fucking piece of shit. That's what he is. He's a piece of shit. Dominic is a piece of shit. He knows it, he knows it.

JD: You know (UI) like six months ago. I haven't talk to him since.

UM: (Coughing)

JD: And said Ralph I know exactly what your trying to do. I can's stop it I'm just be all over with my attorney and, ah, these guys are trying to take the house. No, no, no (UI) he just wants the loan money and I'm like bullshit I said I knew. But what am I gonna do, what am I gonna do now.

UM: They foreclosed on that guy's place upstate on him.

JD: That's what they looking to do.

UM: (UI) four guys, (UI), two kids, and his family, his wife and his two kids out in the fucking cold. Foreclosed on them. Didn't even give them a month, three months, fucking as soon as he was late after the thirty, ninety days period foreclosed on the fucking guy, foreclosed on him. Took it and that's what they did to the lady when that (UI) was in on that. They did that to that old lady. She was like fucking 78 years old. Looks like she was (UI) standing up she was so fucking old. like she can't hold herself up. He had taken advantage of a fucking lady who's trying to help you out.

JD: That's unbelievable (UI).

UM: They were fucking bad news.

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JD: (UI).

UM: Bad fucking news, man, bad news, John. That's why I got out of there. I got out of there...

JD: (UI).

UM: (UI) before he got out, before he even went in I got out of it. I got out of it when I think I was on the, I was on the roof of my house and I got out and I got out, I got away from those guys. And then he came back into the picture and he hasn't seen me in (UI) and when I was all done with selling the house.

JD: Right.

UM: He was friend Robert. I know Robert since he was fucking grown up and I (UI) high school with his brother, Ralph (UI) not Robert, you know..

JD: Um hmm. So Robert was in (UI).

UM: He was in (UI). He was giving Dominic the one percent or whatever the hell through the back. I said forget it. I said I gave Robert the house for five weeks. He couldn't do shit. He had the guy from Scarsdale that wanted. Some of other guy and he had, ah, the listing for five weeks. Until this day I still have all the paperwork and all the signature on everything.

JD: (UI) you know, did you hear that.

UM: I didn't hear nothing.

JD: No, I was just curious. Cause you know why...

UM: Honestly, I haven't heard anything to be honest. The only thing I heard that was, ah, was ah, was, ah Joe DeManchi (PH). That's the only thing I've heard about that.

JD: (UI).

UM: (UI).

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JD: Why can't I rent the house. Hmm, I mean come on. When I put it Robert not knowing I didn't think Robert was like that. I didn't think he really was with him.

UM: He's with him. That's why he's staying in his house. (UI).

JD: (UI).

UM: Which one?

JD: (UI).

UM: (UI) is Joe's.

JD: It's Joe's. I bought that I renovated with Dom.

UM: Ah, and then you sold it to Joe.

JD: Sold it to Joe.

UM: And Robert was supposed to buy it from Joe.

JD: And was...

UM: And that never happened.

JD: What happened was Dominic schemed us there by saying look Robert who's a broker wants to buy this house for a million six a year. You see he says I told you. He goes your gonna make money in real estate. But a year comes and Robert doesn't want to buy the house.

UM: So he rents it.

JD: So he just rents it and now he's trying to get it from Joey at a cheaper price. But he schemed us.

UM: Oh man fucking...

JD: So he's out there saying wow this house is worth a million six and Roberts saying I want the house, I want this house. I'll pay a million six in one year.

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UM: (UI).

UM: Hmm.

UM: Oh yeah.

JD: He's unbelievable right.

UM: Oh man.

UM: Unfucking believable.

JD: Unbelievable.

UM: That your phone.

JD: No, I don't think so.

UM: The, ah, it's just unbelievable. I go on (UI) he's fucking no good.

UM: I just wish, I just wish you could get out of it.

UM: Yeah.

UM: (UI).

JD: (UI).

UM: You need a real, you need real money down I got it.

JD: Yeah, but I'm not taking any...

UM: No, no, but if you need a real legit person to bail you out and get out of (UI) and stuff I will hook you up.

JD: What's his percent though?

UM: He's a (UI), he's a regular fucking bank. He's a legit bank.

JD: Oh he's a legitimate person.

UM: He's a legit bank.

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JD: Cause their charge me 14 and 4 which is really a (UI).

UM: You know (UI) 16, 14 and 4...

JD: That's illegal.

UM: Yeah, yeah.

JD: (UI).

UM: What you got to do, what you have to do is, you got to (UI), you got to show it to an attorney that knows. There's a guy in Manhattan that a friend of mine sent me to and he's the guy for the, for the (UI), for the thousand dollars I paid him it was worth ten thousand to me.

JD: What's his name?

UM: I don't, I don't remember.

JD: (UI).

UM: And he was the fucking guy that went through all my paper works to make sure I had a case. If it ever, if it ever surfaced and (UI) that I just didn't do nothing.

JD: (UI).

UM: I didn't do nothing to them...

JD: Yeah.

UM: ...I just turned my back and walked away.

JD: Yeah.

UM: Took my fucking, took it on the chin and I said Dom I said to him when he was across the street (UI) I said Dom when you get out me and you gonna fucking we're gonna have a little talk.

JD: And what did he say to that?

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UM: He, he, he looked, he knew, he didn't say anything. He just said, he goes, he, he didn't, he didn't first of all he didn't say he was gonna make good, but he, he, he knew.

JD: He's gonna go to Florida I'll tell you right now, he's not gonna come back here. Your not gonna see him.

UM: Oh he ain't coming back here.

JD: No, I mean New York either. He's gonna go south.

UM: He's gonna go south. But he's either gonna go there or he's gonna go to (UI). I told you about that. He's not gonna go far...

JD: (UI) cause he can't get to it can he.

UM: Listen he's not gonna go, I know he ain't gonna go down to Florida. (UI) I don't believe (UI).

JD: Yeah, but if he settled that money in (UI).

UM: He's not gonna go there. (UI) out of state, Jeresy or he's gonna go to...

JD: (UI).

UM: (UI). Cause he can't get touched in his son's (UI). My (UI).

JD: (UI).

UM: He's not gonna go, Dom is not gonna go. Trust...that I do know. That I can almost bet put bets on.

JD: You know who is a (UI).

UM: (UI) shocked me too yeah.

JD: You know he's on it with him.

UM: Oh (UI) shocked me, (UI) shocked me.

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JD: His mother's in on it.

UM: (UI) shocked me. I know fucking Pat since five years old.

JD: And she (UI).

UM: She fucking shocked me, she shocked the shit of me.

JD: She help schemed me.

UM: She shocked...no, well, she, she didn't know, she didn't know he was (UI) until I told her.

JD: And what did she say to it.

UM: She said...

UM: (UI).

UM: No, no, no...she said you know, you know, we know each other to long for you, your not gonna get hurt and, and appreciate you helping Dominic getting out and well make sure that you...

JD: Yeah, yeah, I got the same lines.

UM: We make sure we make it right, we make sure he makes it right through the fucking (UI) pretty (UI) brother.

JD: Sonny, Sonny is holding all his money you know that.

UM: I don't know, I don't think that they have the money to be honest with you.

JD: Where is he keeping his money.

UM: I think...

JD: He can't get to it right.

UM: I think, I think...

JD: He's got offshore accounts.

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UM: You know who's the account?

JD: Yeah who?

UM: Jeff (UI).

JD: Really.

UM: That's why he did what he did. He (UI) his position and he lost his bar. They, they disqualified the medical attorney and everything and he said he was mentally distraught. When him and Danny (UI) scanned that big fucking thing in (UI)...

JD: (UI).

UM: ...well that's what Danny (UI) and got paid and slip down the driveway.

JD: What he didn't break his neck.

UM: No, it was all like a fucking ah, they got paid from that law suit. Ah, Jeff was in on everything and Dan got all that money and (UI) fucking money and I think they (UI), I think they fucking that ah, what you call it they formed this thing...

JD: Little alliance.

UM: Yeah you got out and their never check you because your an attorney and they won't bother with you and your gonna lose your bar and you can't become an attorney in New York State and I think he said (UI) that you have a (UI) next month. And was the point guy cause Danny knows how to do it and Danny was socializing with him on the side and he's got the money (UI) and he's making money. Cause all of a sudden here's an attorney who's fucking on the balls of his ass can't even afford a car payment and losing his building and everything and all of a sudden he turns his life around...

JD: What does he do now?

UM: Well, he's out (UI) they say he's fucking mental. He claims he's...

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JD: Mentally incompetent.

UM: Some shit...

UM: (UI) his property.

UM: Oh yeah that was a big...

JD: Was a big scam, huh?

UM: A big fucking scam.

UM: (UI) fuck, but he got fucked up don't get me wrong.

JD: But he probably got more hurt...

(Overlapping voices)

JD: But Dominic...

UM: Whatever, whatever transpired it was all, it was all set up, it was all the way it went. When I, when I see, when I see Jack, when I met him and I said to him that (UI) this guy (UI) I'm to fucking smart for this motherfucker and when I seen that what he was doing for Dominic and he was going here and he was making (UI) I said Dominic what the fuck he's an attorney don't you worry about it. Don't you know if you put attorney, if you put money in an attorney's account that nobody can ever question your attorney...

JD: Ah.

UM: ...because of private privilege or whatever the fuck it is.

JD: Oh like an escarole account.

UM: Exactly and that's what they did. And then they made him, they made him (UI) (static) and he never made it as a big shot attorney like he wanted to be. Take million dollars in cash, hid the money and work for us (UI) so that's what he did. That's what all these guys do, that's what all these guys do. I seen them do that. (UI) that's why Dominic never

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(UI) cause he's under too much.

JD: Yeah, cause you can get back at him.

UM: Oh I can fucking keep him there for ten years. He's lucky I don't, but I know, I know, I know this, I know in my heart that there's gonna be the right time where he, he, he one day he's gonna make it right. And if it don't happen...

JD: (UI) he will.

UM: No, but it will I'm just...

JD: I mean then your saying they're gonna make it right by me. He's...

UM: No, no, no, no, no, what I'm saying, in another words what I'm saying that is not gonna make it right that way, but one day he's gonna realize and try, you know, and try to come back.

JD: Do you think so?

UM: I believe so.

JD: I think he's the biggest fool than he is.

UM: No, no, no, no, I don't mean here Rob here's your money that I beat you out of. I don't mean it that way. One day...

JD: He'll have a reevaluation that he did the wrong thing.

UM: Exactly.

JD: Oh well yeah that's gonna have on his death bed.

UM: (Laughs) well, but you know...

JD: Please I hope so for his sake.

UM: You know, you know what I'm saying.

JD: Yeah, I know you hope so for his sake, but do you

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think it's gonna truly happen. I don't think so...

UM: No.

JD: ...let me tell you something I was just asking (UI)
and it comes up to me like 666 like the devil.

UM: Yeah.

JD: I said to DiVito it looks like the devil. DiVito
right it's very close.

UM: (Laughs)

JD: It's very close. Let's be honest.

UM: (Laugh)

JD: Right.

UM: Yeah.

JD: And my (UI) Dominic is that six or seven letters.
And in DeVito Jr. if you misspell his first name by
one letter it comes six, six, six.

UM: (UI).

JD: Come on what do you think he is. To do this...

UM: (UI).

JD: To call me up and say Jonathan you help me I end up
helping the guy out and then (UI).

UM: You know where to go call me up I know where to go.

JD: Yeah, but then if I'm helping him why, why did he do
this to me.

UM: Well, that's what I'm trying to tell say.

JD: He's just unbelievable.

UM: (UI).

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JD: He's unbelievable.

UM: He took advantage of he could of make his knowledge he could've went a long way (UI). He could've made it big...

JD: (UI).

UM: He could've made a fortune.

UM: He could've made a fortune (UI) and did the right thing by people. But he was (UI) in this fucking fantasy world...

UM: (UI) too. Somebody was talking (UI).

JD: I think so too.

UM: (UI).

JD: Like he beat the insurance company.

UM: Yeah, (UI) yeah (UI).

UM: (UI).

UM: He called me (UI) this and that the (UI). I said relax (UI) fucking day relax. You need a fucking pill.

UM: Yeah.

UM: Relax.

UM: Thank God (UI).

UM: He beat my friend...

UM: (UI) pay me (UI).

UM: He beat my buddy, he beat my buddy out of his horse.

JD: (UI).

UM: He beat my friend, he beat my friend.

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JD: The little guy, the little guy.

UM: Yeah.

JD: The little guy.

UM: He beat him, he beat him. I said you fucking (UI)
I said I told you...

JD: This guy got a list like...

UM: This guy...

UM: That's what I'm saying, what I'm trying to say to
you is, is when he comes out he's gonna fuck the
wrong guy. This is what I'm trying to say, he's
gonna fuck the wrong guy and that's when he's gonna
get that's what gonna happen. (UI) he's gonna fuck
around and he's gonna fuck the wrong guy.

JD: (UI).

UM: Trust me I believe that.

JD: (UI) he can't stop.

UM: In my heart, in my heart I think...

JD: (UI).

UM: (UI) finally met the guy that's gonna kick his ass
it's that simple.

UM: Yep. Who put this in Rob?

JD: I don't know.

UM: (Laughs)

JD: (UI) what is that?

UM: (Laughs) (UI) header or some shit it looks like.

JD: Oh maybe for the radio or something.

UM: Yeah. (UI) noise or something.

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UM: What are you gonna do with this.

JD: Well, I mean, you know look I gotta think about roughing the whole house I mean that's like he said I mean I got to think about this.

UM: (UI).

JD: I mean, you know...

UM: Well...

UM: Let me...

UM: (UI) like you got like two months.

UM: Yeah.

UM: And that's it. And the best thing to do is...

JD: Alright., (UI) drain and put the water in and it's takes step by step. So let's (UI) is and you gotta figure out who's gonna do this and who capable of draining the system.

UM: Yeah you got to drain the system its all backed up.

JD: Alright, who's into that? I mean you know, (UI) toe nail I can do that I can't do.

UM: Right, right, um, um, I mean (UI) drain the system for. (UI) drain the system for.

JD: He's gonna question it?

UM: Sure. They, they ask you did you ever have the system drained or did you ever it repaired or anything.

UM: How long you have it?

JD: A year and...

UM: See their gonna no. Last year it didn't happen last year at all. They get a note that somebody tampered with the system from now until then. You only

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living here you just moved in. This (UI) happened now I never knew the system was drained. You know what I'm trying to say. They gonna know.

JD: That's what I'm saying what about...

UM: Their gonna know...

JD: ...(UI).

UM: I can come up here, I can come up here and (UI) in other words (UI) in the system. There's fucking nothing, there nothing protecting the cold. There's nothing protecting it.

JD: So it has to be in there.

UM: Has to be or it would have happened.

JD: It would have happened the first winter.

UM: Fucking it would have happened...

JD: The first fall.

UM: ...the (UI) water in my (UI) room I keep the heat down so fucking low just the bear minimum that I kept down so low that I didn't realize. My (UI) when they keep the cap they shut the switch off right.

JD: Wait say it again.

UM: In my house I have switch (UI) the heat in the back...

JD: Oh your daughter...

UM: Seven zones in the house or seven (UI) right. And, ah, she (UI) and fucking water got so cold...

UM: It frozed.

UM: It frozed and it almost frozed where...

UM: (UI) all fucking over.

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UM: Yeah. There was still little what happened was (UI) so fucking (UI) what the fuck. I looked and I put the seat up and I said what the fuck and I went like this...

UM: (UI).

UM: ...I went like this I said what the fuck I touched the fucking water and (UI) a little bit of water was still left.

JD: And (UI).

UM: No it didn't.

UM: Thank God.

UM: ...cause it didn't get the chance to freeze all the way out, but if it stayed and I didn't see that...

UM: It would of broke.

UM: I would of broke the toilet and what would have happened the fucking would have fucking running. And I didn't see it. And went there and I seen my daughter have the switch and one of the kids turned the switch off by accident and said hey if I put the switch up and bought one of those things that you put over the switch.

UM: A protector.

UM: A protector so they can't hit it. (UI) walk out of the house (UI) and hit the switch and the fucking house is (UI). But that's what I'm trying to say it, it happens...

JD: But I don't wanna, I don't wanna come up here, you know, break the pipes...

UM: If you have it you would know about it.

JD: And ah...

UM: If you know like you know, you wold question it..

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UM: Now, that's that's my question.

JD: Now you want to know something, now hold on now see I need a little bit of a guarantee. I...

UM: How you gonna guarantee you can't...

JD: I'm just from this guy that he's gonna come and do the right thing.

UM: John's gotta request him.

JD: That's when we gotta know if he's on that weekend I can't take that chance. Cause I can't have a million dollars worth of damage...let's say (UI) says, you know, were gonna send Vince up and I don't like this claim. (UI) comes up and says he doesn't look right. Now I'm sitting there with a million dollars worth of damage. Now what do I do? What happens if (UI), you know, this looks funny, you know something Mr. (UI) we're not gonna pay for this claim. Fight us. Right, could that happen.

UM: I highly doubt that.

UM: I highly doubt that.

UM: I highly doubt that.

UM: Listen, listen, listen...

JD: What if he sees something and he things it's (UI).

UM: Listen, listen to me there on the (UI) of this they don't want you suing them that they didn't, you know, the clients and you (UI) deny it that's the last thing that they want.

JD: Alright, hold on, (UI).

UM: You look...

JD: That's what I'm trying to do. Alright, hold on, let's say I come home and the damage is like in the millions of dollars whatever the hell it is...

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UM: Um hmm.

JD: ...I can't live here now I gotta go and live somewhere else in an house that I could be renting, doing something with while I'm fighting them and this house is sitting here what do I do. That's my biggest fear you got to understand that, that's my biggest fear. That the house is wrecked great, okay. Now what?

UM: I've been doing check claims for twenty years and I've never seen them...

UM: Deny.

UM: ...deny a claim.

UM: Deny a claim. They'll pay out (UI), but they'll pay out.

UM: Alright in twenty years I mean, I mean, he had a claim taken care of.

UM: Legit, legit claim, you know, you got, you got, you...

JD: Alright.

UM: You gonna, your gonna....

JD: Because your not (laughs).

UM: That's what I'm saying.

JD: (UI) problems.

UM: If, if, if, if, if, if it makes you feel better...

JD: Go ahead.

UM: Doesn't leave the room.

UM: I had a claim on my house.

JD: Okay.

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UM: I had a hard time...

UM: Collecting it.

UM: No, your not gonna collect on hard times I figure what I was gonna do once I figured it out...

UM: What?

UM: (UI) I didn't have no problem.

UM: Right.

UM: I had (UI) on my house.

JD: Okay.

UM: And the insurance companies know that's a bad thing now. It's a problem. We, we ain't paying for any of that shit. How the fucking am I gonna get this fucking thing paid for. I had a guy come over and we talked and we'll take care of this (UI).

JD: Where's that guy?

UM: Oh he's the guy that's coming to your house.

JD: That's what I need.

UM: Yeah so...

UM: That's the guy (UI), that's the guy...

UM: The case is everything. And once he (UI)...

UM: They have experts in the company who we also know. Who write estimates like the guy that came to your house.

UM: Right.

UM: Who'll do the right thing and you know...

JD: He's a (UI).

UM: He's independent, he doesn't work for (UI) he

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works...

JD: Okay explain that to me. What does he do?

UM: He's their, their, their proving consultant.
He's...

JD: For like the insurance company.

UM: Right.

UM: For Chubs, for Chubs.

JD: For Chubs.

UM: He's an outside consultant.

JD: Alright, so...

UM: Who I happen to know for twenty years.

JD: Okay. How does he factor in?

UM: Well...

UM: (UI) hired them to...

JD: Hold on wait. So you get your adjuster he comes in
he hires this guy who he already knows is involved.

UM: He, Chuck pays him a fee for his consulting in the
what the damage is of worth building worth,
construction was. (UI) telephone number, you know,
that would be good because he's representing Chub,
and Chub can't deny the number because he's their
expert.

JD: Oh.

UM: You got, you, you, you have to...

JD: (UI) you know...

UM: You got...

JD: You definitely (UI) I got to think about this (UI).

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UM: Oh yeah.

JD: I don't wanna jump in...

UM: John, John you call the shots.

UM: You call the shots it's your house.

UM: You call the shots.

UM: What he's trying to say to you is, it's 99 percent thing nothing can happen because their gonna call your, your gonna call your...

JD: As long as it's done the right way and Johnny submits it right and the size of the claim, the size that you wanted to be...all the players...

UM: (UI).

JD: You don't have the lesser adjusters around.

UM: They do, but it would out of their hands cause they don't the authority to write it.

UM: Authority to write. Anything over two hundred thousand dollars...

UM: They go to the top guy.

UM: ...they go to the big guy.

UM: They go to the big chief.

UM: The small crane then they (UI). But what you have here if you do here it's gonna (UI) before.

UM: You know that.

JD: Yeah.

UM: So your gonna be...yeah.

UM: (UI) they had (UI).

JD: I mean my office is over there which is Cherry Town

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(UI). That's expensive as hell.

UM: Sure. (UI). It's gonna come straight down.

UM: What?

UM: Whatever is under here (UI).

UM: (UI) up here and your gonna dry it all out.

UM: It's gonna take some time.

JD: It's gonna take months to repair.

UM: Absolutely, absolutely. Your looking at...

JD: How much six months?

UM: Your looking at like we said 4 to 6 months

UM: Four to six months.

JD: Alright. Then step one you got to find this guy and let's talk to him.

UM: (UI) coming up.

JD: Alright.

UM: I could alert him that something maybe happening in then next thirty days.

UM: That your on. That your not on vacation or anything like that.

JD: Alright, so that's, that and then we got to wait for a cold day.

UM: Then you got to drain the system.

JD: When you gonna come and drain the system.

UM: You gotta get, you gotta get someone to drain the system. You gotta get...

UM: (UI).

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JD: So if you drain the system it may happen on it's own.

UM: Well...

UM: Oh it will happen on it's own. There's no question about it.

JD: So I don't have to do anything, but just drain the system.

UM: You drain the system and you pump this, you pump this (UI) and pump the water and you put the circulation and you hit the switch on that's gonna circulate domestic water through the house. (UI) come up here and get a suitcase it was fucking ice cold.

JD: Oh.

UM: It's gonna be ten degrees colder in here than outside automatically because you have nothing. You only have (UI) and everything the cold air is popping.

JD: Alright.

UM: (UI) the insurance company may ask you have you had this serviced recently.

UM: Right you can't say yes because they're sue the fucking (UI).

UM: Exactly.

UM: (UI).

UM: That's when you get fucked.

UM: That's what I'm trying to say, you know (UI).

JD: Alright.

UM: (UI).

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UM: I lived in the house a year and a half I moved in (UI).

UM: You say nothing.

JD: Alright, no problem.

UM: No, that system is connected to this one.

UM: No. This system, this system (UI) and I'll show you (UI).

JD: So this and that are tied in.

UM: Yeah (UI).

UM: (UI).

JD: (UI).

UM: And with the main and everything.

JD: And my wife is (UI) to me.

UM: (UI).

JD: I don't know.

UM: (UI).

(Pause)

UM: You have two.

JD: What are those, those are switches. So he needs to come and drain those.

UM: (UI).

JD: That's an expensive job in itself. (UI) damage.

UM: How much oil you have in the tank.

JD: (UI).

UM: (UI).

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JD: That I can't answer.

UM: (UI).

UM: See the one (UI).

JD: What the (UI)?

UM: That's gonna (UI). Once you (UI) the system...

UM: It'll go off.

UM: It'll go off.

UM: And then the (UI) is gonna call and say is there a problem oh I'm just a plumber working on the system and I'm draining the water. He's got to know how to disconnect that without (UI) together.

JD: Then hold on and then the alarm guy and then you have a record.

UM: That's what I'm trying to say, that's what I'm trying to say to you. Who's your (UI) guy?

JD: Ah...

UM: Just tell him to shut the system down...

JD: Maybe ah, Ralph. He's (UI).

UM: (UI).

JD: I don't know (UI).

UM: (UI). But that's you could say the system right (UI). But what's gonna happen is if you drain the system it's gonna you got to disconnect that where...

UM: (UI).

UM: (UI). I'll tell you how to do it. And then the pipe goes from here all the way up to...

JD: This is, this is so the whole house is gonna get

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(UI).

UM: This whole section and that one over here.

UM: (UI).

UM: It could break over here, it could break over here.
See these pipes (UI) at all.

(Sound of phone ringing)

JD: No, I'm not gonna get the phone. I'm not home.

UM: That's what will happen.

JD: Okay your gonna have to get back to me on, um, on
this guy and let come and look at it let's...

UM: He's not gonna come look trust me.

JD: No, no.

UM: He's gonna come look when you got the damage and he
ain't coming before that.

JD: No, alright.

UM: (UI) purchase a little bit later, you know...

JD: No, no, I'm saying what do you mean (UI).

UM: Yeah.

JD: No, no, I mean (UI) this guy.

UM: Who, who could we send out for the...

UM: I'm trying to think who, who could do it on the
side.

UM: Who do you know.

UM: (UI). But then (UI). You have a lot of fucking
pipes in this basement bud.

JD: (UI) pump it up.

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UM: No he did pump it up.

JD: (UI).

UM: (UI) anti-freeze, you know...

UM: So their feeding it with anti-freeze and you got a little electric pump and it's taking domestic water from the garden hose and screwing it into the valve up here. (UI).

JD: (UI).

UM: (UI) fucking water in that valve and you put it back...

JD: You need the plumber here for two hours.

UM: (UI).

UM: At least, at least, at least an hour and a half.

UM: An hour and a half.

UM: At least an hour and a half, at least an hour and a half to take to drain the system.

JD: (UI) my wife home to. I mean how's that gonna happen.

UM: When is she, when is she not home?

JD: During the day (UI).

UM: Where the kids are with her right now.

JD: Yeah. It's not looking good.

UM: (UI) the plumber if you would. If the guy comes...

JD: The truth is that she takes care of the house I don't take care of the house.

UM: Yeah, but you gotta get him here without anybody knowing (UI) is here. (UI) when I came home John she just call you up from work....

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JD: Right.

UM: ...I came home the fucking water is running and look in the house. What do you mean?

UM: (UI).

JD: (UI) she runs down and shuts the main.

UM: Who's your plumber?

JD: I don't have a plumber.

UM: No, what I'm saying...

JD: Oh, oh I thought you meant...

UM: (UI).

JD: I don't know. I could tell who my dentist is.

UM: No, no, what I'm saying call a fucking plumber (UI), you know, how bad, you know, she's a woman, she (UI). Well John (UI).

UM: The only thing, the only thing if you do all this and it don't fucking freeze up (laughs) and you don't get those fuck cold days it ain't gonna freeze.

JD: Why?

UM: It ain't gonna fucking freeze.

JD: (UI) February, March (UI).

UM: Can I tell ya...

JD: Your gonna have to get back to me (UI) I can't (UI) I got to go to trade school. Alright, I here (UI) to break the pipe.

(Laughter)

JD: (UI) in the pipe.

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(Laughter)

UM: What about the (UI).

JD: That's (UI) she builds a good house, she builds a nice house. She does.

UM: She built a nice house the woman....

JD: Yeah.

UM: ...she, she smart lady.

UM: Um hmm.

JD: Yeah.

UM: She smart lady.

UM: (UI) something with the system.

JD: She did.

UM: She built the fucking house, she knew it was fucked up. She gets to see the (UI) and she gets the write off from (UI). And they check the system. They hit the value (static) open up your (UI) and if that shit spits out he knows it's got the stuff in the system and he gives you a certificate and signs off and a (UI) box is hook up and your good to go. She sell the fucking half to Dominic and (UI).

JD: (UI) I buy....

UM: To you, okay. She knew Goddamn well from the (UI) fucking system down that how the fucking water get up there on three, on two stories, two floors up in the fucking dinning room. How the fuck did water get in there when it's got the system it's to be deluded with, ah, 7/30 they fucking know.

JD: I think he set me up with that too. I'll tell you what...

UM: She did ten of them.

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JD: No, no, no (UI).

UM: I said what the fuck happend.

JD: No, no, everybody knew that I didn't know that. But, ah, I think he set me up to buy a house that had a sprinkler system in it. I didn't the house had a sprinkler system in it. I have no idea. I didn't know that sprinkler systems were in homes.

UM: So (UI) since 96 in this area.

UM: Yeah, yeah.

JD: With him and Robin said this a great deal she's hurting for money and you should buy this house.

UM: (UI). I know that one (UI). She had to hide money from her fucking husband from taking it from the divorce she was going though. She had to hide money because he was trying to (UI) on her. Usually when you pay when you leave and you separate (UI).

JD: As a male you pay.

UM: You pay.

JD: She paid..

UM: Her last two husbands she had to pay off (laughing). A couple of hundred, (UI) get the fuck out of here. Huh?

UM: (UI).

UM: She bought off that house and up and dies.

JD: Where Robert (UI). He's his partner no, he just sold it there.

UM: No, what happen was Robert (UI) knew the guy that owned it. The guy that owned the lot...

JD: Oh.

UM: ...(UI) owned the lot was going, was going broke.

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Dom said I'll get you out. He reached out to everybody and he and Maryann had money and I have a good deal for you. Buy this lot privately from this guy and put this two together and she bought the lot.

JD: Oh I got you. With contaminated soil that something you know.

UM: Yeah.

JD: Right.

UM: Contaminated. She had to get it all out.

JD: Did you have that problem?

UM: No.

JD: You sure.

UM: No I never had that problem.

JD: You know I heard (UI) did that shit to you he throw contaminated soil there or something.

UM: No Dominic tried to bring (UI) and I throw them off the job.

JD: Oh you did.

UM: He tried to pay them (UI).

JD: Oh you did.

UM: And I throw them out of there. I got they tried dumping and I got them out of them.

JD: So they were gonna dump contaminated...

UM: They did, they dumped, they dumped dirt with 4 by 4s with shit in it and I fucking had my guys scoop it up and put it in the truck and go 110 Sands Street and get the manifest sheets and get out of there.

JD: He's unbelievable man.

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UM: He was (UI). He (UI) poison.

JD: Bad news man.

UM: Bad new man. I called him bad news.

JD: He's got ever angle...

UM: When I see this phone ever ring that number my wife said why do you keep in there. Because that's Patti DeVito's home number. So if that ever ring I didn't recognize the number, but if rings it's gonna say bad news and I'm gonna know it's Patti DeVito. Mrs. DeVito and son.

JD: What's up with Sonny is he ever involved with those guys?

UM: Nah, Sonny...

JD: He plays dumb, he plays dumb, but I don't trust him. No, I don't trust him at all. I think he was in on the scam.

UM: I don't trust none of those guys.

JD: I think he's enjoying his son's money that's my personal opinion.

UM: It's possible.

JD: He goes to Atlantic City every week.

UM: He always did that though.

JD: He told me one time how he threw twenty thousand dollars like down on numbers and stuff. I said to him what (laughs).

UM: (UI).

JD: No, Mr. DeVito.

UM: I know, but you never met (UI) use to fly to fucking Atlantic City you remember that.

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JD: No, I don't.

UM: They use to (UI) in the city. They use to get picked up...

JD: Yeah.

UM: ...and glide in the helicopter to Atlantic City.

JD: Where from Manhattan or from or over here.

UM: No, the circle down in...

JD: Dominic was in need of that kind of money, huh?

UM: He was considered a big roller, he was considered a big roller.

UM: (UI) they pick you up.

JD: Oh they picked them up.

UM: They pick you up...

JD: I understand.

UM: And then they fly you down.

JD: You know what's funny he such a degenerate. Then you add up all the other guys...

UM: You think about it, you think about it.

JD: ...the gambler (UI).

UM: You think about it, you think about what I'm gonna say. Here the fucking FBI, CIA and everything they can figure out everybody, right.. They bust these people they get these fucking people, terrorist and all this right. Here they got a fucking guy...

UM: Pee on.

UM: ...he's fucking nothing and he outfucking trick them and he's doing his time was...

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JD: And he said that to me in jail, you know that.

UM: Yeah, I know it. You really don't have to tell me I know the real deal.

JD: He said that to me in jail. He says I think the FBI....

UM: Oh I know that.

JD: So I looked at him and I took a turn back, what do, what do you mean by that. So he said they don't know who I am. He says they have no clue as to really who I am. And I went I started (UI).

UM: Uh hmm.

JD: And I said holy shit is this guy like some high up mafia guy that I don't know about and I got...

UM: (UI).

JD: I mean...

UM: Yep (laughs).

JD: Yeah, he did.

UM: He outsmarted them.

JD: He outsmarted them.

UM: He definitely did.

UM: (UI) twenty-five years three and a half fucking...

UM: Who said that?

UM: Johnny.

JD: Johhny. He should be doing twenty-five years.

UM: Twenty-five years.

UM: He should, he should, he should, he should be doing at least minimum doing sixteen and you half of that

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eight years. How he got three what ever...

UM: Three and half.

UM: I have no fucking idea.

JD: It's unbelievable right, it unbelievable. It really just amazing. And he, and he, and he's (UI) scam artist.

(Laughing)

UM: Hey (UI).

JD: He's just got a list of people that he's just continuing screwed just a list.

UM: Oh yeah.

JD: I mean it's gotta be hundreds of people.

UM: When I came...do you know what baffles me.

UM: I already got the book on it.

UM: No, what baffles me is that you have Dee. I know Dee I went to high school with him.

JD: Alright yeah.

UM: You have Dee. now Dee's father is well off. Big builder. Dee inherited the business. What baffles me is how these guys are still in that fuck click. That baffles me. Here he fucked him out of two hundred grand or maybe even more on that house next door from me (laughs)...

JD: (UI) house.

UM: Yeah. He fucked me.

JD: He screwed Dee's dad too.

UM: He fucked me out of that, he fucked me out of that a couple of hundred thousand dollars. At least a hundred and fifty, at least, at least let's say a

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conservative a hundred thousand dollars.

JD: Where the hell does he keep this money. Jeff (UI) do you think.

UM: I personally, I'm just, I'm just...

JD: Yeah, your theorizing. Yeah.

UM: Yeah, yeah, that's my opinion. You guys (UI).

JD: That's what I say too (UI) his mother in Florida.

UM: Oh yeah. (UI) mother in Florida they got money. They were literally broken fuckin' down.

JD: Oh yeah. And he...

UM: Now they have house, they have fucking nice cars down there. (UI) parent's are divorced...

JD: That's why Cherri doesn't leave.

UM: Hmm. No. She has the other kid. I still didn't see when she came to the shop with the baby he sat in the fucking car so Cherri had nothing to say to you. (UI) was you to go down and see him (UI).

JD: She actually said that.

UM: Oh yeah. This was months ago. She came to me.

JD: She expected you to go see him.

UM: When they had the baby how long ago was that. How old is the baby nine months.

JD: No, last January 8th.

UM: Oh then a year ago.

JD: A year ago.

UM: A year ago, a year ago. Around this time...

JD: Why did she expect you to see him? For what?

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UM: I have no idea. I have nothing to say to him. I have nothing to say to you. I said Cherri I have nothing to say to you, nothing against, just stay the f--, just stay out of my life. You out of it, stay out of it.

JD: She's another little scam artist, she's right in there with him.

UM: She's right in there with him. (UI) can only play, you can only play (UI) innocent. What he did wrong is he put his wife and family into the picture and he should have never did that.

JD: There all in on the whole...

UM: That's what he did.

JD: Their all in on the scam.

UM: (Clearing throat)

JD: I hear ya. I knew that obviously. Cause that's what makes it seem legitimate when, when his mother, you know, saying to you help my son you were his friend you knew him from years ago he was a good boy. That's the talk I got. He's a good boy. I said I want to see this guy hurting let's see what I can do to help him yeah. I help him ruin my life. How about that?

UM: You fucked up, you...

JD: Is that amazing though how you...

UM: And that's his (UI).

UM: Hmm.

JD: The mobile...

UM: Oh yeah the mobile I bought for him (laughs).

UM: Oh.

JD: What did he do?

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UM: That's, that's, that's a fucking (UI), huh.

UM: (UI).

JD: Mold or molding?

UM: Molding.

UM: Molding.

JD: Molding.

UM: He was stealing my molding (UI).

JD: No way. At your house.

UM: I was craving the molding myself. My guy set up the table and literally craving the molding.

(Sound of a phone ringing)

JD: And he stole it from you.

UM: In fifteen minutes I'll be back. Bye, bye.

UM: (UI) over a piece and Barry said to me, Paul said to me. Where did you get this (UI) piece I knew. And Dominic said to me (UI) put that molding. And where did you get that and I said the other guy who took it and I confronted him and then I went next door he had fucking one who room done and they took it down and redid the whole remember when they did the molding on the first floor.

JD: Wow!

UM: In that house and we did the molding. And they had my fucking molding, my crown molding.

JD: (UI).

UM: They couldn't finish it cause they couldn't match it. Because my guy cut it on sight. And he changed the knives. We made our own knives, our own (UI).

JD: So he made like a custom molding...

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UM: He made a custom molding and you can't get my molding. You can't go to the store anywhere to find that fucking molding I have in the house. (UI) and he (UI).

JD: Right.

UM: He built a woman's house that I'm finishing now that I did the molding in that house because I used my same guy and I said you still have my knife and he said yeah. I said curve the fucking molding so he sent it out (UI).

JD: (UI) molding (UI).

UM: Then he knew I bust him.

JD: (UI).

UM: The molding?

JD: Yeah.

UM: No, no, it was only (UI), but I heard he rip it all out. (UI) walked into his house take it (laughs) and I have one for you if you go in your house right now, you know in your house right now (UI) house.

JD: Yeah.

UM: (UI) you know that white cabinet.

JD: Yeah, yeah, yeah.

UM: That was mine. That was in my living room it was a custom made cabinet.

JD: So he left it behind.

UM: (Laughs)

JD: That's why it's still there. He left (UI).

UM: But I told him, I honestly told him (UI) take this fucking. He said I want to pay for it, I want to pay for it. I said, I said take it. It was done

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wrong...

JD: Pay you for it.

UM: Fucking take it, take it. And he put it in his house (UI) he put it in the fucking thing. My guy made that.

JD: (UI).

UM: He made that.

JD: That's amazing.

UM: When he wants something John he (UI) he's going for it.

JD: He should be doing a hundred years in jail, he should be doing a hundred years.

UM: (UI).

JD: (UI).

UM: (UI) out of it.

JD: For who (UI)?

UM: For the (UI).

JD: (UI) right.

UM: (UI).

JD: Could never imagine that.

UM: (UI).

JD: Over a year.

UM: Really.

JD: Yeah. My opinion is (UI) was been late. Black balling it (UI). Not one offer here, not one offer from (UI).

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UM: Um hmm.

JD: For sale or for rent.

UM: Nothing.

JD: Nothing. Are you following me.

UM: I give this house to Chub to list...

UM: (UI) three times already.

UM: (UI) money too.

JD: What's up. How is that possible.

UM: (UI) you got a fucking black cloud like me.

JD: How's that possible.

UM: (UI). She's a great lady, man.

JD: Yeah. But you know what...

UM: (UI).

JD: ...she can't, she can't overcome...

UM: (UI) (laughing), but she's good people, man.

JD: Yeah, but you know...

UM: Yeah, you know, I know, I hear ya where you taking me..

JD: How's that possible.

UM: Yeah.

JD: How's that possible. And he, and he knows what he's doing to me, he's doing it all from prison, he's doing it all from prison. I can't wait to sell this, and I can't wait to sell (UI). I don't have a CO and I can't finance Scarsdale.

UM: (UI).

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JD: I got, I got lien on (UI).

UM: (UI).

JD: He put a legal lien on (UI) 750,000.00.

UM: For what?

JD: Just because.

UM: Did, did you get it lifted?

JD: I'm trying. Lawyers cost money.

UM: He did a legal lien and you can't get it lifted.

JD: Yeah.

UM: (UI) research.

JD: It's still on a lien. Someone's got to research it and take care of it.

UM: At three hundred dollars an hour.

JD: I got to pay this mortgage to (UI) and all my expenses and my kids and this...

UM: Let it go.

JD: You know, you know part of it is a little...

UM: Ego.

JD: Ego and (UI) I mean....

UM: Let it go. You know (UI) let it go (UI) you want it fuck you. Pull money out of it and let's give it fucking to him. That's what I would do (UI).

JD: I can't get the CO (UI) and Dominic next door and do you think...what's going on. I know what he's trying to do.

UM: Trying to get it from you.

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JD: Oh absolutely.

UM: (UI) to buy it back (UI) I'll get it.

JD: Exactly.

UM: Just like he did to the house over here, ah, ah, ah, in Lake (UI).

JD: Yeah, that's his I don't know.

UM: (UI).

JD: That's his scam.

UM: (UI) fucking bought it back and (UI).

JD: Oh yeah, yeah.

UM: Fucking what's his name...

UM: Wild Bill.

UM: No, no, no, no.

JD: No, Wild Bill in that house (UI).

UM: No, 115...

JD: (UI) I know as 116.

UM: Alright, who owns the one now in (UI).

JD: Bill King owns 116, but 115 Lake Shore just happens to next to one another and had nothing to do with one another.

UM: Yeah.

JD: But he did something there.

UM: Right, but what I'm saying is that he owns that house. That's his house. (UI) I mean (UI) house. They can't fucking figure out the pattern here it doesn't make sense, don't make sense, it don't fucking make sense. I'm surprised you can't sell

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this house. It's a nice house.

JD: It's a great house.

UM: Fucking nice a beautiful house.

JD: Not a offer.

UM: (UI).

UM: Yeah, I know that (UI).

JD: Not a offer, not a offer.

UM: (UI).

JD: You know I think people are (UI). And I'll tell you why (static) she calls when she got back when said you want to hear a weird story. There a (UI) at the pool talking to this elderly woman. The elderly turns to her and says where do you live Westchester (UI). What do you do I'm a realtor. Yeah where. Well, I (UI) Purchase. Oh my sister lives in Purchase. Why is that house on (UI) beautiful house not selling. Suzie says I actually have a listing. Oh that's such a small world. They start to feel one another out the lady says I know why the house is not selling. Cause that mobster use to live there.

UM: Oh my God.

JD: She's in Aruba.

UM: Holy fucking shit.

UM: (UI).

UM: Ah.

JD: Who, so who do you think this spreading that too, I mean, who's (UI) the lies and who's this guy? Robert DeDomoto (PH). I had that Dan Forbes past the comment when I first put the house up for sale and I didn't think Robert was a I thought he was a legitimate guy and I put it with him. I figure he

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was the realtor for the area and I got nothing, nothing. He came to me and he said I have someone (UI) to buy the house at 1.25 million. That's what I (UI). I said who Robert. I can't tell you.

UM: (UI).

JD: They want to buy it back for Dominic.

UM: They want to buy it back for (UI).

JD: You want (UI).

UM: Yeah, they want nothing. Or take back the second and we'll pay you.

JD: Yeah.

UM: Mortgage your house and get the what you call the guy in and you pay him off. You don't really (UI) about a second mortgage.

JD: (UI).

UM: (UI) in the cold and pull money out. Two fifty, three hundred thousand. So if this...

JD: He would try, he would try and sell it.

UM: I was like this how do you guys fucking sleep at night, man.

JD: He would try and steal the house from me and I said wait a minute something's wrong here and I got away from Robert (UI). And when I got away from him I knew it and someone said that Dan Forbes I heard I forget who said how stupid (UI) is to put the house with Robert. Doesn't he, doesn't he know that, that's Dominic guy.

UM: (UI).

JD: Ah, ah, I'm thinking these people are legitimate. I, I don't know.

UM: This is what, this is what (UI). And I know Joe's

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good friends and I don't really know Joe and I think he's a nice guy, but what bothers me is why is he still dealing with fucking (UI) when he knows and everybody knows it, everybody knows it.

JD: I think he has a choice, I think he has a choice.

UM: (UI) Robert down there.

JD: Ah...

UM: Cause if I was him I sit with Robert you buying the house or not?

JD: I think it's a little more elaborate than that I don't know the details, but I think it's more elaborate than that.

(Conversation IA)

JD: Alright (UI).

UM: Okay take care.

JD: I'm fine.

UM: (UI).

JD: Alright, I'm trying, but what are you gonna do, what you gonna do. See you later.

(JD speaking...hey come on home...I got to get the kids to bed. Yeah, fine, just come on home please, so I can get them to bed. Alright. Okay. Bye)

(Pause)

This is SA Michael B. Hartnett. Time is now approximately 9:08 and the recorder will be turned off.

(End of conversation)

FEDERAL BUREAU OF INVESTIGATION
NEW YORK, NEW YORK

FILE NUMBER: 281A-NY-289758

DATE: FEBRUARY 16, 2005

TAPE NUMBER: 1015

CASE AGENT: SA JOHN PENZA

PARTICIPANTS: JD - JOHN DEBELLO
JL - JOHN LISCIO
LC - LOUIS CORDASCO
UF - UNIDENTIFIED FEMALE

ABBREVIATIONS: UI - UNINTELLIGIBLE
IA - INAUDIBLE
PH - PHONETIC

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(Job #71824:pg)

This is SA Michael B. Hartnett along with SA Earl Anderson. The date is February 16, 2005, the time is approximately 2:40 p.m. We're going to make a consensual recording with John DeBello and John Liscio.

(Background noise)

14:45

JL: Beautiful, beautiful, beautiful, all right. Thank you, thank you.

JD: (UI), you wanna play?

JL: Hah?

JD: You wanna play? Here's two bucks.

JL: No, I don't (UI). I was just, I was going up to the candy store and it started to rain.

JD: Oh, I got your message. I said let me just run over here. I knew I was gonna be in town (UI).

JL: I just, uh, (UI) Lou's gonna be coming in.

JD: The what?

JL: Lou is gonna be coming in.

JD: Oh, here?

JL: Yeah.

JD: Oh, he's here today.

JL: He told me he's gonna be around.

JD: Oh, okay. All right. Close the door?

JL: No, not yet, I'm gonna get some coffee. Want some coffee?

JD: Naw.

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JL: Come on.

JD: No, I don't drink coffee.

JL: We got some bagels.

JD: No, thanks. No, thank you.

UF: The coffee's fresh.

JL: Coffee's nice and fresh, come on.

JD: I don't drink coffee.

JL: No?

JD: No. What are you doing, you got an appointment at, uh...for your heart?

JL: No, I, um, I postponed it (UI).

JD: You sure? All right, you know, I don't wanna take you out of what you're doing.

JL: I'm gonna be here till 3:30, 4:00.

JD: All right.

(JL talking in background)

JL: (UI) and the best psychiatrist.

UF: Oh, very nice, my pleasure.

JL: Dr. John.

JD: How are you?

UF: My pleasure.

JL: Dr. John.

JD: Only, there's only one thing, I don't practice in the county.

UF: Oh, then forget about it.

JD: I'm (UI) in the Bronx and Queens.

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UF: Forget about it.

JL: In the Bronx.

JD: In the Bronx and Queens.

UF: Okay, we'll send (UI).

JD: That's all right. Even though I'm not here I'm still the best in this county.

JL: There you go.

JD: (Laughs) Oh, God... (UI) what was up with, uh, Midollo? I didn't even know Midollo knew, uh, Lou.

JL: Who's Midollo?

JD: Robby Midollo, you know, he was there that night at my house. What's up with him?

JL: He does, he does a lot of stuff up there.

JD: I had no idea.

JL: A lot of contracting stuff.

JD: I had no idea.

JL: He knows about everything that happened with Dominic the whole time.

JD: Yeah, he knows, I know. I didn't know he knew, I didn't know he knew any of that stuff.

JL: It's not a bad thing.

JD: No, I don't care. Doesn't matter to me. No, I, I'm not, I don't dislike him or anything. Truth is he just shocked me. I'm like, what is this guy doing here...you know.

JL: (UI) get people that are involved in certain things. People that, you know what I mean?

JD: Yeah, yeah, yeah, I, I had no idea though. Cause he says he's coming with this plumber and...

JL: If we're gonna do something, we'll do something with

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the right people.

JD: Right.

JL: You understand?

JD: I didn't, I didn't know that. I just didn't know.

JL: Uh, you (UI).

JD: Well...

JL: He had a valid point though, you know, Lou. Lou had a valid point.

JD: About what, the, uh...well, Robby's saying he can't do it.

JL: Huh?

JD: Robby's saying he can't do it.

JL: Not lately with this weather that we're having.

JD: No, I know. I know, that's another thing.

JL: I want you to look at something.

JD: Go head.

JL: We're stooping down to his level, the scumbag, you understand?

JD: I know.

JL: The people that are involved have a lot to lose. He has nothing to lose.

JD: He has nothing to lose, I know.

JL: You understand?

JD: But that's why, you know, initially, when you guys, when you said, you offered this to me, honestly, John, I said shit, if I could get a couple of months, uh, you know, mortgage, I said, this is fine for me. And honest to God truth, what I saw, like, when you came by with Lou, I'm like, Lou's like, yeah, this is gonna get ruined, I'm like, shit, no, that's not what I want,

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Lou.

JL: John...

JD: Cause if I, if I have another million dollar claim or whatever...

JL: John, we have no control on what could happen.

JD: Yeah, but what if a pipe breaks over the garage? You understand? What if a pipe breaks over the garage? That's not even the main part of my house. Then I can still live in the house. But seriously, Lou's come by and he says, no, no, you're gonna have to move. Chubb pays well for you to move. I'm, like, Lou, I mean you gotta be kidding me. You know, that's not what I was looking for. I'm looking for, you know, the \$250,000 claim or less where if I net out 50,000, great, you guys take your share, everybody's happy, you know.

JL: I understand.

JD: But the truth is, you know, he looked at it, like, no, no, no, what we're gonna do, I think we'll break this one. I'm like, Lou, that's over my master bedroom, I mean...

JL: Only thing, John...where the pipe can be broken, you know. You can't just take a pipe and say...

JD: Well, you know, look, the garage is the coldest spot, too, you know.

JL: I know, but they're (UI)...

JD: There's a bathroom in, over my, uh, garage.

JL: They're not that stupid, the insurance companies.

JD: Well, that's what I'm saying, we gotta be careful.

JL: You know, that's why...

JD: Did Robby help Dom, no?

JL: Whatta you mean?

JD: Did Robby help Dom? How did, he knew a lot about Dom's claim, how did he...I mean did he help him do it? I

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mean...

JL: Not that I know, no, no.

JD: Oh. No, I'm just saying cause if Robby did, look, Dominick got away with it obviously, right, okay. They interviewed me too, and he got away with it. What am I gonna say? I walked away.

JL: Well, (UI), well, that ain't (UI) cause you were (UI) the building.

JD: Yeah, well, they put me under deposition and, you know, what did I know? I knew nothing. And they, they blamed it all on the plumber. What do I know, I know nothing...you know. And they thought, they really, Dominick did a wonderful job. They really felt that the plumber did a bad job, and that he, it was his fault.

JL: The person who built the house. The person who built the house.

JD: Yeah, exactly, the, the, Maryann's plumber.

JL: Right.

JD: But, you know, I mean, so I'm just...

JL: Well, you know that (UI) you know, it's funny because the, the attachments from the boiler, okay, were never welded. They were not welded when the, when the heat went through the pipes.

JD: Really?

JL: When the water came downstairs, down into the basement, the fuckin' boiler blew up. We're having pizza in the kitchen and we hear this loud explosion. And the smoke coming out from the basement going up the stairs.

JD: Well, I knew the boiler had, there was something wrong with it afterwards. I knew that it happened.

JL: But the pipes were not welded to the boiler.

JD: Oh, so (UI).

JL: Yeah.

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JD: Let me, let me throw something out at you too, hold on. I have a house in Long Island, right, and, and it's, I bought it for the value really of the property. There's a house on it. We actually rented the house, my friend and I, you know, temporarily, while we, we were either going to get a variance and attempt to build two homes but he had a heart attack too. That was, oddly enough. So we just, I just abandoned the idea. I said, you know, I found these builders, they wanna buy it, so they're gonna buy it from us. And a tenant was in there but they just moved out. And it's a little nothing home, like, uh, 2500, you know, square foot home. And it's just sitting there. So I'm just, I don't know. Is there something we could do there, could we switch...

JL: (UI) vacant?

JD: Yeah, but did, hold on, Scott Circle. Wasn't Sherry gonna put in a claim that said Scott Circle was not vacant? How did...

JL: Scott Circle was vacant.

JD: Uh, uh, it was vacant, right, it was vacant. She wanted to put in a claim that said it wasn't.

JL: There was a claim involved.

JD: Well, how do you do that?

JL: There was a claim.

JD: Okay.

JL: What company you have out there?

JD: You know, I don't know.

JL: You gotta find out because...

JD: I could switch it to Chubb.

JL: Okay.

JD: What if we switch it to Chubb, hold on...

JL: Okay.

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JD: And then you tell me what we can do. And it's a little nothing home, it's gonna get knocked down anyway.

JL: Okay. Get me all the paperwork.

JD: I'll get you everything.

JL: (UI) Chubb, that's what they did in Scott Circle was give an \$80,000 deductible.

JD: Whatever, I, uh, uh, uh...

JL: Because they, they knew that the house was not vacant. They knew the house was vacant.

JD: Vacant.

JL: So technically it's your responsibility to tell the broker, okay, tenants moved out, the house is vacant. I don't know how long the house is gonna be vacant. And what they do is that they put on what's called a, a vacant surcharge. You know, technically, there's more of a problem...

JD: Oh, I see, if someone's not there than there.

JL: Right.

JD: Okay, I got you.

JL: Okay, there's more of a problem when, when somebody's not there. The pipes can freeze, this can happen, whatever, okay, than somebody being there, living there.

JD: I got you.

JL: Okay. On top of that, we, we were never notified that the house was vacant. All of a sudden the fucking roof collapsed, okay. And there's a \$300,000 claim.

JD: I got you.

JL: Chubb came in and says, look, you gotta suffer in this loss because you never told us. So they took 80,000 right off the guy.

JD: I see.

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JL: You know, you know, but these company guys, that's why you gotta be one step ahead of these companies.

JD: I see what you're saying.

JL: You know what I mean?

JD: All right. No, just, I, I always just remember saying, Joe saying to me, I didn't talk to him about it, you know, but that Sherry said she wanted to say that there was a tenant in the house. But how could we do that? You can't do that.

JL: No...you can't.

JD: You can't, okay.

JL: No, but (UI). When the adjuster comes in, they're gonna wanna speak, you know, speak to the tenant.

JD: Yeah.

JL: They're gonna wanna see furniture, you know. There was no furniture at Scott Circle.

JD: Didn't she say her and Dan Forbes were gonna go buy furniture and throw it in there or something?

JL: (UI).

JD: I don't know, that's what Joe told me. I did not hear that firsthand, I don't know. All right, I'm just whatever...

JL: You gotta be very careful, but you got a lot to lose.

JD: Yeah, believe me, I know. But that's why, honestly, when Robby showed up I was a little, like, I was shocked and I was a little, like, not pissed but I was, like, what the hell is he doing here. Like, are we telling the whole world.

JL: So who is it? He's the plumber?

JD: Robby? You know Robby Midollo? You don't know him, oh, okay. He's Dominick's cousin, too, through Valerie. He's Valerie's cousin. But I think he grew up in Harrison, that's why we don't know him.

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JL: Okay.

JD: And he, he moved from Harrison to Purchase. And then Dominick moved up there and he knew him, and then...that's it. And then I guess they did some kind of business together, Oak Valley, and that's it. Now, I had no idea that Cordasco...

JL: Wasn't he the one who owned the auto body shop?

JD: Yeah, exactly. I had no idea...

JL: (UI) for a fucking, uh...

JD: Oh, Dominick took him too. You know that, everybody knows it. Everybody knows it, yeah. He took him too.

JL: It just doesn't end.

JD: No.

JL: Have you been speaking to Joe Romano (ph)?

JD: The truth is I try not to speak to anybody too much. I put my head in the sand, I get up, I go to work. I don't really bother too much with too many things, too many people. You know, I work 12-hour days, you know. Today I took off, I was in surgery all day, I'm exhausted. You know, (UI) I'm sick, so I said, ah, I'm just gonna go home, I can't, I can't do it, you know. But...but what are we doing, Cordasco's coming by?

JL: Yeah.

JD: All right.

JL: (On phone/intercom) Elaine?

UF: (UI)

JL: Elaine?

UF: Yeah.

JL: When Lou Cordasco comes, just send him in the back office.

UF: Wait a minute, John, I can't hear you, you're not coming through.

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JL: You there? (Hangs up)

JD: Well, what is, you think he's got a better idea or something?

UF: You're not coming through, what did you say?

JL: If Lou Cordasco comes...

UF: Yeah.

JL: Have him come in the back.

UF: Okay.

JL: No, he just wants to...

JD: No, I just, I don't know, um, we...I mean, you know, the deal is I'm, I'm leaning on your expertise and him, like, to say, what do we do here. I mean the truth is the other night he said to me...

JL: I really don't know.

JD: I know, that's fine.

JL: Like, I just gotta, uh, you know...it's gotta be the right time and, uhh...

JD: Well, the weather's gotta be right, I know. I know that...I know that.

JL: You know, then, you know, you know, Lou was talking to me about what's gonna happen, you know Dominick is gonna find out about it.

JD: You think so?

JL: Yeah...(UI).

JD: Really, hah?

JL: That's what Lou was talking about. Dominick's gonna (UI).

JD: I didn't think about that part.

JL: Well, I'm telling ya he did, Lou thought about what's gonna happen, Danny Forbes gets fucking wind of it, you

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know.

JD: I didn't think about that.

JL: What's gonna happen, Danny Forbes (UI) up in Purchase, you know, there's a \$250,000, you know, water damage claim up in, uh, on, on Purchase Street on Dominick's property, it's gonna happen. That's another thing we gotta worry about...you know. Or the word's gonna go back to this fucking scumbag and who, who knows, because I hear he's doing shit behind fuckin' bars. He's doing, he, he's doing things behind bars.

JD: Like what?

JL: With the word, he's putting the word out to people, having things done...you know.

JD: Oh, he's still conducting business from jail.

JL: Still conducting business.

JD: Well, there, there's no doubt.

JL: He wants something to come down against you.

JD: Yeah, I know.

JL: With this. All of a sudden, we planned it out perfectly, okay.

JD: Everything's fine.

JL: Three, four hundred thousand dollar claim and all of a sudden something happens, I don't know.

JD: Right, and then he gets wind of it.

JL: Right, that's another, that's the thought that he had.

JD: What is he gonna do, call the authorities? (Laughs)

JL: I don't know, I don't know. John...he fucked you out of 400,000 in the first claim, okay, (UI) in your name, fucked you out of that.

JD: Well, I had no idea it happened.

JL: You had no idea. Well, you know, here, I mean here...

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I understand.

JD: He's good. He's good.

JL: Yeah, I don't know (UI).

JD: How'd he get, seriously, how'd he get to be such a criminal like this? You know, Lou said and Robby said, he said you know something, before he met these people he was never like that though. And that's, that's the Dom I remember. All right, happy go lucky, you know, living on the edge a little bit, that was always him, but...

JL: All of a sudden...

JD: Then all of a sudden he meets these people and...

JL: And you take a chance, okay, you take another chance that you don't get caught.

(Knock on door)

JL: Yeah?

: (IA)

JL: Hey, bud.

JD: Hey, what are you doing?

LC: Hey.

JD: How did he meet these guys? What's going on?

LC: How you doing?

JD: How you doing? How did he meet these guys?

JL: You know, when you start getting involved with, uh, certain...

JD: We're talking about Dominick DeVito right now.

JL: If you get involved with certain people, especially as far as years ago in the carpentry business and then the horses and then, and then the gambling, you start taking numbers, you start doing this. You, you get involved with, with the criminals, okay.

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JD: Did he have a, a, a bookie thing, Dom?

JL: Yeah.

JD: He did?

JL: Well, with, with Darren (ph), Darren was (UI) he took the numbers.

JD: Oh, yeah.

JL: Through Dominick, through, uh, Rigoletto, through Patsy, everything was done through them. You know, then all of a sudden, you know, you get, you get involved in union deals and, and, and you have problems. And every time you get involved in a union, okay, there's big money.

JD: Yeah.

JL: And Dominick made a million dollars for Patsy...okay. And then he got involved in these other jobs and these other jobs and these other jobs, and you keep on fucking ripping off all these other fucking people. And then you build yourself up, you, okay, you start to get their trust and then, you know, all of a sudden, you start making money catering to them and you got carte blanche no matter where you go. You're driving around, you got beautiful houses, you got fucking furs, you got Mercedes, you got this, you got all the cash in your pocket that you want and that was him. (UI), you know. (UI) I was, I was just telling him, you know, there's ways to do it and there's ways to do it, you know, and one thing that he didn't think of, if something does happen and Dominick gets wind of this...

LC: That's what I told you, the next day I came back, (UI) everything goes through and you get the check.

JL: Who was the guy that you brought with you?

LC: Robby Midollo.

JL: Why, who is he?

LC: Well, Robby, you know, he, he's a friend of mine, he's a GC and he got ripped, Dominick took him for a million and a half.

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JD: Well, I just, you know the truth, I know Robby, he's okay.

JL: (UI) he was shocked.

JD: No, Robby's good. I was a little shocked to see him, I gotta be honest with you, (UI) what's going on. And you know, he still is Dominick's cousin so I was like, like this, so I said, well, wait a minute.

LC: Dominick, Dominick, Dominick took a million and a half from him. He tried to do the same thing to him as he's trying to do to you and LaManna and the other guys.

JD: Yeah.

LC: But he, he was able to sell his other house, he got the money he needed, he walked in the next day and said, go fuck yourself, I got the money. (UI) me, I don't owe you anymore.

(JL having telephone conversation in background)

JD: And he's, and you see him going off on him now. He's, he's a bad dude, DeVito. He's just...

LC: Bad news, I said on the phone (UI).

JD: Well, I was telling John...I have another house on Long Island that's about, not a big house at all, I bought it for the property, and I said maybe we can switch the policy there from whoever I have to him, like, at Chubb, put in a small claim on the house.

LC: What, uh...

JD: It's vacant.

LC: See, the thing is (UI) you, you're paying, the guys you're dealing with, like, paying your monthly note to for Purchase, Dominick's guys got involved in that end of the deal, too?

JD: No, no, no, no, no.

LC: (UI) a legit bank?

JD: What do you mean? Say that again.

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LC: Your mor--, your, your mortgage payments on this house in, in Purchase.

JD: No, it's all mine.

LC: It's all yours.

JD: The bank.

LC: Okay, it's not, not, not through, not through their guys, your guy.

JD: Nooo, no, no, no, no, no, no, no, no...no, no, no, um-um.

JL: But you gotta remember, Danny Forbes, Danny Forbes lives a few blocks from you. You understand?

JD: Yeah, he'll get wind of what happened, yeah.

LC: (UI) you know, there, there, there, there's too much down side than up side.

JD: I didn't think about that, honestly, I really didn't. I just didn't...cause you know I'm saying, I really didn't even think about it, number one, now that we did bring it up and I'm thinking about it, I'm like, well, what's he gonna do anyway? Who's he, who's he gonna call?

JL: You never know.

LC: Hey, (UI) up to you.

JL: But don't you know that he would not want to see you with any money?

JD: Oh, he's, he's...

JL: You know that?

JD: Yeah.

JL: And no matter what he would do, he would not, he would do everything in his power to know that if there's any water damage payment of a few hundred thousand dollars, you know, and the house is in your name, you know...

JD: Yeah, he'll try and hurt me.

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LC: Bottom line is he's looking to waste both of yous, not waste you, but I'm saying waste you where you're drained financially. I'd say, listen, sorry, bud, looks like, you know, they're gonna buy (UI).

JL: Just like if (UI).

JD: No, but that's...

JL: (UI) kicked the wife out of the house.

JD: ...(UI) oh, well, you gotta say that was his plan all along though. You, do, do you see that?

JL: (UI) that's another thing, you had no choice but to kick her out. So now you kicked her out, okay, and, and...(UI).

JD: Oh, he hates me more than any other person on the planet right now. Oh, that's obvious.

LC: I saw the ad in the paper, by the way, (UI) Sunday Times, the house, the, uh...Brae Burn.

JD: Yeah.

JL: That's another thing, that fucking thing's not gonna sell.

JD: No.

JL: But settle for a million dollars, take your fucking loss and go away.

JD: Easier said than done.

JL: I know.

LC: How much, what do you, what do you owe on the house?

JD: 2.5.

LC: Take 2.5 and get out of there.

JD: We're about at that point.

LC: Well, the bottom line is...you know, it, it's now or later. I mean, you wanna...the (UI) is here. You wanna order (UI) fucking drown (UI).

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JL: No, now, right now in Purchase, sell the fucking thing. Move into something smaller.

JD: Dude, you don't understand, it's been on the market for over a year.

JL: Has it?

JD: Yeah.

JL: Oh, I didn't know that, I didn't know. I didn't know. Reduce the fucking price (UI).

JD: You remember Robert DiDonato he was talking about, Robby Midollo.

LC: Yeah, (UI) is like this with DiDonato.

JD: No, Di--, yeah, DiDonato, yeah, (UI).

LC: (UI)

JD: Yeah, yeah, they're thick as thieves, I mean what's, what's going on. So what do you think Dominick's telling him to do?

JL: So you have a (UI).

LC: (UI) with Houlihan, aren't you?

JD: Houlihan, yeah, but, come on, doesn't matter. What do you think Robert DiDonato's trying at every, you know, every twist and turn?

JL: Who, who's the head broker from Houlihan with you?

JD: Susie (UI).

LC: Susie (UI), she's, she's the best.

JD: She's the best, yeah. That's what I'm saying, I went to the best (UI). You know, it's not like I have it with, uh, whoever, you know what I mean? I went to the best.

LC: What are the taxes on the house in Brae Burn?

JD: Forty-five. I'm, I'm behind two years.

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LC: You're what?

JD: I'm behind two years.

LC: On the taxes.

JL: Did they increase because of all the new work that was done from, from last year?

JD: I don't, I don't know.

LC: If they file (UI).

(Knock on door)

(UF speaking to JL/non-pertinent)

LC: Yeah, I'm looking, I'm looking for something in that price range but I'm not gonna pay (UI) taxes, fucking ridiculous. Cause if my kids go to private school next year, I'm gonna (UI) another 40,000 on top of that.

JL: Is that what it is, 50 thou--, 45,000? Holy...that's a lot of fucking money.

LC: There really has to be another way...

JL: Buy Richie's house (UI). You see the paper yesterday?

LC: I called you, (UI) channel 12 news, the lead fucking story.

JL: Hah, you didn't see the paper?

JD: No, what happened?

LC: Six hundred and fifty million dollars in four years.

JL: Six hundred and fifty million.

JD: I'm sorry.

JL: My cousin Richie got picked up.

JD: Richie...

JL: The biggest...Martino, the biggest porn scam in U.S. history.

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JD: Who's Richie Martino?

LC: Well, Margaret's your cousin.

JL: Margaret, Margaret.

LC: What a doll she is (UI) fucking hooked up with him for the fucking rest of her life.

JD: Where's he from?

JL: The Bronx.

JD: Richie Martino.

JL: There was, um...

LC: I was watching the newscast on channel 7. I remember, I remember the house in the Bronx, when it had the water problem, remember, and he called us?

JL: Yes.

LC: He says don't touch any of the fucking wires whatever you fucking do. That was the fucking house.

JL: Which house?

LC: Some house in the Bronx that he had that had all the fucking cable networking and all that bullshit. Remember he had the water problem, he said don't touch the fucking wires (UI).

JD: Oh, what does he do, run the porn thing through his, uh, through his house?

LC: What, what, what it was, they had it on, I, I watch the local news for business with my son every night and I heard the name. I said, oh, that's fucking Johnny's cousin. I said, oh, fuck. What they would do is, you go on this porn site and they say, they ask for your credit card to see if you, if you were of legal age to do it, so they take your number, boom, on your credit card right away so, like, you're fucked there. Then he would charge the credit card, then you would have to call another number which he was tapped in with the phone company and he would collect, like, I don't know, \$20 a minute they, they were charging to look at some, to look at some porn site or something. He, in, in

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four years he made \$650 million.

JD: Six hundred and fifty million.

LC: Million.

JD: All these guys can rot in hell.

LC: So he's got, he's got a mansion by you in the Purchase Estates.

JD: Does he?

LC: With a, with an in-house full court basketball court with stands, a fucking scoreboard, everything, regulation size basketball court in the fucking house...in the house.

JD: Never met this guy ever, I don't know who he is.

LC: (UI) Purchase Estates, he got a house, he got a \$7 million house (UI), they took that.

JD: They took it?

LC: (UI).

JL: I can't find the paper but he lives up in (UI), he just bought a house and (UI) \$650 million.

JD: This is him?

JL: That's him.

JD: What is he about 50, 55?

JL: Forty-two years old.

JD: He's 42?

JL: Forty-two.

JD: He looks like he's 50.

JL: Yeah.

JD: See?

LC: Just don't look at (UI). If you fucking (UI) the last

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three years, you would look like that too.

JL: (UI)

LC: Sal Locascio was involved in that, too?

JL: Yeah.

JD: Who?

JL: Um, Tore Locascio. You know how much money Ri--, Richie was sending out to him?

LC: I could imagine.

JL: Thirty million. And Zef, and you know Zef?

LC: He was included too.

JL: Well, Zef is like a hitman, you know.

JD: Who?

JL: And then Andrew, Andrew Campos over here. He bought a house across the street from Eastchester High School. Now Tore had the house in Scarsdale.

LC: (UI)

JL: And he's got fucking surveillance cameras on his house.

LC: Yeah. Yeah, (UI).

JL: Right.

JD: Who, who's that, who has surveillance cameras?

JL: Tori Locascio, his father.

JD: Is whose father?

JL: Frankie Locascio was John Gotti's consigliere. So now Gotti's dead, okay. Frankie Locascio, the son John Gotti, Jr., he's in jail. Well, now (UI) Tore. You know, Tore's like the number one man.

LC: (UI) Gambino crime family.

JL: Richie...

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JD: Lives here in Eastchester?

JL: He, he lives here.

JD: No shit.

JL: Yeah.

LC: All of them, all Westchester guys.

JL: Richie made the biggest, he was the biggest earner for the Gambino family. The biggest earner. But that's four years of work, \$650 million.

LC: They got greedy but, he could, he could build fucking (UI) shit in his (UI).

JD: Oh, my God.

JL: They got fucking greedy, you know. They, they billed everybody to their, uh, what do you call it.

LC: Credit cards.

JL: To their credit cards, you know.

LC: All it takes (UI) you can rob banks for fifty fucking years, you get caught one fucking time (UI), you're dead, it's over.

JL: Yeah.

LC: I don't give a fuck (UI) fucking caught this guy.

JL: Yeah. No, you know what happened, they brought two other guys, this guy Norman Chanes who owns Screw magazine and High Society, he kind of blew the whistle on him cause he's started making too much money. And then things, uh...

LC: What they were making wasn't enough.

JL: Apparently not.

LC: What they want, fucking three billion dollars out of the fucking deal? They were spending fucking (UI).

JD: Who's this other guy who lives across from Eastchester High School, who's he?

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JL: Andrew.

JD: Who is he, he's in...he's in Dominick's group or...

JL: No.

JD: No.

JL: No, he's another family. Isn't (UI) family. This is the Gambino family. Amazing.

LC: They showed every fucking house on TV last night, too. The one here in (UI).

JL: But, now with this, he's gotta give everything back.

JD: He's gotta give them 650 mil...

JL: (UI) on the street. He's gotta give his house over here on (UI) in Tuckahoe, his house in Purchase, the house in the Hamptons worth six million, the boat, the car, everything's (UI) with the RICO Act. He gotta give up everything. And I saw Margaret before. She, she had lunch with Gloria (UI).

LC: She all right?

JL: Yeah, she said, uh, everything's gonna be okay, everything's gonna be okay.

LC: What you need is a top flight attorney, that's what you need.

JL: Well...

LC: He can do time, what he (UI)?

JL: (UI) ten years.

LC: They say five to ten. He got ten, he'll be out in five.

JL: He got ten, gotta pay 13 million (UI).

JD: Wait, for stealing \$650 million he got five years in jail?

JL: He got ten years.

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LC: Yeah, but he'll do five.

JL: Yeah. And he gotta (UI).

LC: The question is, the question is, where's the money buried. That, that's the question.

JL: Look, they had 64 companies. You see, you read that? They had 64 companies. Oh, my God.

JD: (UI) here, it says just before Locascio entered his plea, so this is the same guy who lives in Eastchester?

JL: He's a member (UI).

LC: Yeah.

JL: Used to play golf with him.

JD: Yeah, Frank, who's Frank, his father?

JL: Frank's his father.

JD: It says Frank Locascio, who is serving a life sentence in a Federal prison. Where is he?

JL: That's John Gotti's, uh, consigliere. He was, he, he was the, uh, the attorney...for Gotti.

JD: Hmm.

JL: Yeah.

JD: It's unbelievable.

LC: (UI)

JL: So, then what I did was...

JD: All right, I'll look into this other policy then, I'll switch it over.

JL: Be patient, be patient.

JD: Yeah.

JL: I got a feeling if anything happens up there, Dominick will find out.

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LC: Oh, I, there's no doubt about it.

JD: Yeah, you don't think so, hah?

LC: Because if, if, if it's not through his people, it'll be through fucking, uh, Robert. He got the biggest fucking mouth in town. He's a fucking (UI), that kid (UI).

JD: That's right, DiDonato will tell him, yeah.

LC: I mean he basically, he has that, like, 2-mile square, he knows everything that's going on. He fucking (UI).

JD: How do you know him? You know him?

LC: Yeah, through, you know, I do a lot of work with Julia B. Fee, you know, my own business.

JD: Right.

LC: So I run into him often and he's the one who called me when I had the water problem. So I get to the house, I'm looking around (UI) I said where's the fucking...

JD: You see what Robby said, he, he was going in and checking the house.

JL: Yeah.

JD: How did he know that?

JL: No, he was driving by.

JD: No.

LC: He was checking the house.

JD: He was in on it.

LC: He was driving by and the alarm went on, and the alarm was on.

JD: He was in on it.

LC: He knew (UI).

JD: He was in on it, Robby said. Robby said he was going in the house while Dominick was away and he was

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checking to see the damage level or the water level and reached a real, a bad portion, then he set the alarm off and he said, oh, I heard the alarm. That's what he said, right? Is that what he said?

LC: And she, Berliner, who built your house, so he used that money to pay her off. Blamed her for it, and probably, the attorney's gonna probably sue her for subrogation because the pipes were supposedly not insulated, which I highly doubt. Cause she, that was a pretty good house considering...

JL: Right, I was telling him, remember when you came over and we were having pizza in the kitchen and the boiler blew up?

LC: Yeah.

JL: And the fucking smoke came right up. Huh.

LC: And the steam.

JL: Now, I was telling him because the pipes were not welded and when the water went down, no, something happened and the fucking (UI) exploded.

LC: It was all staged. If they put a nail, they put a nail into the, into the copper piping and once they got, the draft got in there and air got into this thing, it's gotta expand (UI) break.

JD: I don't think Maryann...I, I don't think she built a bad house. I don't think she left any stone unturned. He screwed everything up.

LC: We saw, we saw your house.

JD: Come on.

LC: So I saw (UI) was insulated, correct?

JD: Yeah, exactly.

LC: Your house is beautifully insulated.

JD: But every pipe, everything, perfectly.

LC: There was nothing covered up in, in the house on Brae Burn, nothing.

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JD: Yeah, so he took it off.

LC: Of course he did.

JD: He got away with it.

LC: Did good with that one.

JD: He got away with it. How does he, what is there, a book somewhere, like, for these guys? They look through a book and say, uh, let's see, it's winter time, let's pull the old pipe breaking scheme and then summer comes and they do something else.

JL: (UI) you know, because even, you know, now that that prick is in jail, the fucking wife wanted to do something when he was away, you know.

JD: What she wanna do?

JL: I forgot, one of the houses with Danny Forbes, to do something, you know.

LC: I'm surprised the house on Oak Valley, where, where Robby lives, it's right across the street, they didn't, uh, they didn't do something there.

JD: Yeah, they probably were planning it.

LC: I'm fucking shocked cause he says, he lives right across the street, he says I see shit going there at night, I don't know what the fuck they're doing in that house.

JD: They're in there at night?

LC: Yeah, they're in there at night.

JL: But Danny's living there.

LC: No, he's not.

JL: No, he's not living there?

LC: No.

JD: He's just holding that for Dom, it's not his. No, but Dominick, you know, he goes around saying, he told me Robby Midollo's house was his...the one across from

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him. He said, Dominick said that was his house.

LC: So they paid him off.

JD: Well, whatever, but that, you know, that's typical Dominick, too. Everything's his. He thought Purchase was his.

LC: He, see, he, he, he was in the same situation that you guys are in, and he tried to tap him, tap him, tap him, tap him. And he said you ain't taking this fucking, I built this house, you ain't taking shit away from (UI).

JD: What do you think I (UI) on Brae Burn, that was my house. I bought that house.

LC: He sold another house and got enough money to pay her, so he bought the thing (UI).

JD: He tried to steal it from me a couple of times, obviously now. I didn't know that. Like, when Robby talked about Maryann Berliner and, and that he was dealing with her. I never knew that. He was dealing with her behind my back. My opinion is they set me up with that house from Day One.

LC: They, meaning Berliner and?

JD: No, no, no, Robby, uh, Robert DiDonato and Dominick. Cause I never even knew the house had a sprinkler system. I didn't know homes had sprinkler systems.

LC: Yeah, from '95 on in Purchase, Harrison.

JD: No idea. So he probably told Robert to look for a house with a sprinkler system, right? Found a good deal, he told me, John, this is a great deal for you, buy this house. Right, I bought the house. Then he made a deal and he says, listen, if we make money in other real estate ventures, you know, and I make you money, I wanna buy this house from you, I like this house. I said, okay, that sounds good to me. But he went around telling everybody it was his house.

LC: Of course he did. He's a big, big shot.

JD: He's gotta be a big shot.

JL: Oh, (UI) he lived there, I thought (UI).

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JD: (UI) never, it was mine.

JL: But it made it even better that it was his cause he lived there, you know.

LC: I would do the same thing, I would (UI) when that check came, had your name on it, right?

JD: That's what I'm saying, I never saw the checks.

LC: How they fucking do that, how (UI)?

JL: He fucking (UI).

JD: He said, you told me, with Phil Melillo, he signed my name, right?

JL: Phil Melillo got his fucking 60,000. Phil was on 90,000. Phil was on, uh, Phil's (UI).

LC: Yeah, I know.

JD: So I, I never saw the checks. I saw one check for, like, 25, 30,000. And that's what Dom said it cost to fix the walls and the floor. That's it.

LC: That guy never got paid.

JL: Hah?

LC: That guy never got paid.

JL: What guy?

LC: The floor guy. The guy who did the floors in the house in Brae Burnburn. (UI) didn't get a dime.

JL: Really?

LC: That was Robby's, one of Robby's sons. (UI) told him, (UI) calling the cops but just make sure this fucking guy gets paid, don't fuck this guy.

JD: Sure enough he does.

LC: (UI) don't fuck him. That's all he had to tell Dominick. Oh, I'll fuck this guy for sure. Heh, you kidding me?

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JL: And he never got paid?

LC: Never got paid.

JL: Really?

LC: I said, you know, (UI).

JL: Robby DiDonato said that?

LC: No, Robert Midollo.

JD: I'm so cur--, how did Robby Midollo know that Robert DiDonato was doing that, checking for the water level? Do you know, have any idea?

L: Oh, he knows it's a fucking game (UI).

JD: Yeah, I'm just, I'm just curious cause I can't stand that kid. I call him, like a kid, he's a little, yeah, he's like a little weasel. He's just...you know.

LC: He, he lives, he lives in, up in Brae Burn, right, he lives up in that area in the back there?

JD: Yeah.

LC: Or Pinehurst, one of those streets.

JD: Yeah, he, he's a little liar, let me tell you something. He's Dominick's little go-to boy. He does anything he says now. It's obvious.

LC: I saw him one night, I took my kids for pizza in Rye, I guess he must have just left the office. There's a (UI) which is right next to the pizzeria. He was bombed out of his mind.

JD: He's constantly drunk.

LC: Yeah, I didn't know if he was having a problem or whatever but he was...

JL: Every time I see him, he's always drunk.

LC: He was yapping about the attorney, um...that had the property on, in front of the mansion.

JD: Oh, Lou Cherico.

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LC: Lou Cherico.

JD: Yeah.

LC: (UI) I got fucked, these guys (UI) fucked (UI) my kids are right here, they were eight years old at the time, (UI).

JD: Wait, what was he saying?

LC: (UI)

JD: What was he saying, that Lou Cher...

LC: (UI) coming out of his mouth (UI) oh, this guy, he doesn't know what the fuck he's getting himself into, who (UI).

JD: Oh, who Dominick is, you're saying.

LC: I said, I said, Rob, I mean what the fuck do I care.

JL: So he was hammered and his kids were there.

JD: No, I know.

LC: He'll be, he'll be spilling his guts (UI).

JD: Well, I'm saying, cause he was drunk he was spilling his guts.

LC: (UI) pay your friend Rob. (UI) my friend Rob (UI) fucked on this deal if he (UI). I said what the fuck do I, what do I care.

JD: So you know, let me tell you something. I've been around him a couple of times and the true him has come out when he's drunk. And he's a different person. And then he starts spilling the beans and stuff.

JL: A scumbag. Total scumbag.

LC: I, I don't know how, I don't know how they're gonna make money selling that house. That's gonna be a fucking, see what happens there. Imagine buying that house, buying the property to that, building a big house and (UI). Who, who the fuck would pay five million dollars for that house? Who?

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JL: Beautiful house.

JD: Well, they're building (UI).

LC: (UI) the house in front of it.

JL: Hah?

LC: The house in front of it I'm talking about. The mansion (UI) ruined it by putting a house in front of it and the people who bought the property, what, for a million seven, a million seventy-five, approximately.

JL: Yeah, that's Cherico's, Cherico's place.

JD: Well, you know, let me tell you what happened.

JL: Lou Cherico had that property.

JD: Cherico, Cherico buys the property from, from Dominick. Joe bought the mansion thinking the property was included. Cherico represents Joe at the closing...and doesn't tell him he owns the property in front of the mansion.

LC: The old, the old revolving door, remember?

JD: Yeah, so months go by and he's like, Joe's like, what are you doing up there. He goes, I'm building a house. "What are you talking about, it's my property." He goes, "no, it's not." That's how good Dominick is, he's good.

JL: So the property was subdivided behind Joe's back. Never knew it.

LC: What, what else (UI) did Robby tell you anything about the liens on the houses? (UI) the fucking guy take him outside and (UI) fucking liens. The next day, boom, the fucking lien's paid. (UI) fucking best. That was the fucking best, like, whoa...

JD: Yeah, Howard whatever, Fat Howard, Howard (UI) or whatever his name is.

JL: (UI) had no liens, no, no contractor liens on the house.

JD: Well, I do on Brae Burn, he put a lien on Brae Burn.

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I'm trying to fight it right now. So let, let me explain to you here. He, he pulls an insurance fraud on the house, right, fixes the house, fixes it back up, right? I, you know, I, I catch wind of all this shit, I throw his wife out. So to spite me, he puts a lien on, on my house for the work that he, that he caused, the damage that he caused and got paid for by the insurance company. Are you following that?

LC: Yeah. But the bottom line, he's, he's making, if he's wrong or he's right, he's wrong obviously, but if you gotta get an attorney it's gonna cost you money, now what the fuck you do? That's tapping you even more than you're tapped already.

JD: That's exact...

LC: Even for you to make a phone call, costs you \$500.

JD: Yeah.

LC: So you, you gotta call him like ten times, that's five grand.

JD: Why do you think, why do you think I'm sitting here?

LC: (UI) He, that's, that's, he tries to suck every fucking ounce of blood out of you. And then when you're, when you're down, says okay, I'm, I'm buying it now, I'm taking it over.

JL: Yeah, but what we can't do is get des--, we can't get desperate.

LC: No.

JL: You know, and you can't say, well, (UI). There comes a time where (UI) attorney, uh, uh, the time is gonna be right.

LC: You can't, you can't get rid of one of them and just, you know, at least get one of them off your (UI).

JD: I'm trying.

LC: Brae Burn you can't, you couldn't sell it for two and a half? You'd sell that house in a fucking minute for two and a half.

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JD: I don't know. We, we, you know, it's sitting there. I got no offers. So there's nothing to negotiate. No offers, nothing. No offers.

LC: Nobody's showing your house?

JD: Yeah.

LC: The house is being showed?

JD: Yeah, a number of times. There's no offers. It's not as nice a house as you really think. I like, you know, when I saw the house initially I thought it was a great investment.

LC: Beautiful house.

JD: I thought it was a great investment. You know, the way it got explained to me, I, I...

LC: (UI) it's the best house on the fucking block, that's the problem.

JD: Yeah, the way it got explained to me, I fell right into it, you know. But...you know, look, the truth is I think it would be a great investment, would've been a great house to sell but Dominick Devito is, is involved. He put the stain on it now. He lived there, he caused water damage there. You know, his, his realtor friends are out there bad-mouthing me and the house. So how am I supposed to sell the house right now?

LC: I'll tell you what we'll do, what we'll try to do.

JD: Yeah, go head.

LC: We wanna help you out. We don't want, we don't want any insurance out of it. I know some people who can get you, can get the house sold. What do you want? Robby knows a lot of people (UI) we won't, we won't do it through a realtor, we'll do it underground. They'll deal with you direct. Guy comes and offers you 2.7, 2.8, you won't take the money?

JD: Yeah, sure.

LC: Okay.

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JD: So find me that person.

LC: Okay. Well, I'll tell Rob, say look, look for somebody (UI) sell the house. He's selling it privately, not through a broker. You get the person. We'll find someone for you.

JD: I would sell it at that, that number, sure.

LC: If you, if you owe 2.5 and you make 2.7, you make 200, hey.

JD: Take the money and run.

LC: Lessen, lessen your load on the, the other thing.

JD: Yeah.

LC: With that one (UI) the real estate and you see, you know, people are looking (UI).

JD: Well, that's the problem, you understand, on a house that size, what's the realtor get, you know, 200,000?

JL: No.

JD: What are you talking about?

JL: Five percent.

JD: What's five percent of three million?

LC: Five percent of three million is, uh...

JL: Nah, it's not really five percent because on houses usually over about a million and a half, two, usually it's three and a half, four (UI).

LC: Well, your wife would know, your wife would know.

JD: Okay, hold on, all right.

LC: So four times three is 120...that's 125.

JD: Right, okay, so...that's what I'm saying, it's still a lot of number, it's a big number. So you're getting 2.7 minus your closing costs, minus the 125, be down to 2.5.

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LC: Right.

JD: That's the problem. So that's what I'm saying, I still need, like, through a realtor, two-seven fifty or something like that to somewhat break even.

LC: Yeah, (UI).

JD: I got back taxes of two, two years. That's another thing.

JL: And they're not coming after you for it?

JD: I got notices and stuff, I'm trying to deal with it.

: (UI) didn't pay at all?

JD: He was supposed to pay the taxes too in his rent.

JL: Yeah.

JD: Now, well, you know, that's what I'm saying, he stuck me all around.

JL: I know (UI).

JD: He set me up all around, let's be honest.

JL: Like you even got stuck with the car.

JD: I got stuck with his wife's car, everything.

JL: Yeah, he (UI) with the Mercedes, too.

LC: He got you from the (UI) to the insurance, he got you fucking by the balls.

JD: Yeah, he just...

LC: Every, every, every possible scenario that's involved from, say, list from 1 to 100, he's involved in every fucking one of them.

JL: Yeah.

JD: You know what the biggest problem is, he's never gonna change.

LC: Of course he's not.

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JL: There's not too much that's gonna go beyond his eyes. He's gonna see a lot of shit. And I'm sure he sees a lot shit that was going on even now.

JD: Oh, from prison, yeah.

LC: (UI)

JD: Oh yeah, I know that.

JL: But (UI) there's a lot of, uh, a lot of things can backfire. (UI), you know.

JD: Well, I don't know, think, think, think about it, call me back (UI) tell me.

JL: We will, we will.

JD: You know.

LC: Okay, I, I have to leave here (UI), I'll get back to you guys in, uh...

JD: I mean I got this other house sitting there.

JL: (UI) make a few phone calls (UI).

LC: No, I got a guy at home, I'll ask him if has a big enough car, we'll get a stretch and we'll, we'll (UI) be fine. You know, I'll just tell him, I'll tell, I'll tell him we need a big enough car for three sets of clubs and three, three luggages. All right? I'll get back.

JD: Go head.

LC: Okay, I'll touch back.

JD: All right, go head.

JL: (UI) work out...(UI).

LC: Okay, so I'm gonna, I'll make a couple of phone calls (UI).

JD: Yeah, whatever you...

LC: (UI) no realtors, no nothing. If you know anybody who's looking...

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JD: Yeah, I'll get rid of it in a heartbeat. Yeah, really, at this point just get rid of it.

LC: Who pays the taxes?

JD: Well, I'll have to figure out at the clo--, I mean at the closing I'll have to pay 'em. I mean what am I supposed to do? That's what I'm saying, I gotta build that in, I can't come up with money, it just is not gonna happen. You know, I owe 2.5, and, uh, now with the taxes really, it's really 2.6.

LC: Right.

JD: See what I'm saying? So I can't, I can't say to someone, don't worry, take it for 2.5 and I'll pay the taxes. Yeah, with what money?

LC: You need, you need, you need 2.6 to walk away from that clean.

JD: Yeah.

LC: With no, obviously no realtor involved.

JD: Right.

LC: (UI) it wasn't for the fucking taxes yearly, I'd fuck, I'd, I'd grab it myself but...can't pay.

JD: Yeah, it's a lot of money.

LC: Four thousand dollars a month in taxes, (UI) out of your fucking mind.

JD: Yeah, it's a lot of money. Go head, I'll meet you guys (UI).

LC: Eighty thousand (UI).

JL: (On Phone/non-pertinent) What's up?

LC: That's eighty thousand in taxes a year.

JD: For what?

LC: His cousin's house in Purchase Estates, 80,000.

JD: Oh, yeah.

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LC: (UI) 80,000...(UI) work out (UI) you're making, you know, that kind of dough.

JL: I gotta go, uh (UI), I gotta do my cardio.

JD: (UI) walk outside (UI).

LC: I was at Peter Luger's (UI), I was thinking of you.

JL: You were?

LC: (UI).

JL: You were at Peter Luger's?

LC: Yeah, (UI) out in Long Island.

JL: God bless you, man. God bless you (UI). God bless you.

(UI)

JL: Gotta go work out. Bye-bye, (UI).

JD: Bye, buddy.

LC: All right.

JD: So let me know about, uh, what you think.

L: Yes, we'll talk. Okay.

JD: All right, I'll see you, yeah, thanks.

LC: All right, (UI).

JD: All right, (UI).

LC: John, I'll put some feelers out for (UI).

JD: Yeah, okay, see you later. Okay.

LC: (IA)

JD: Yeah, I know. That's the main thing, keep my head.

(JD enters vehicle)

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This is SA Michael B. Hartnett, the time is approximately 3:30 p.m. and the recorder is going to be turned off.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

26 Federal Plaza
New York, New York 10278

File Number: 281A-NY-289758
Date: 11/10/2004
Time: 16:50:24
Tape Number:
Agent: SA MICHAEL HARTNETT

Participants:

JOHN DEBELLO	JD
JOHN LISCIO	JL

Abbreviations:

SA MICHAEL HARNETT	MH
SA JOHN PENZA	JP
Unintelligible	UI
Inaudible	IA
Phonetic	PH

/chm

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MH: This is SA Michael B. Hartnett, along with SA John Penza. The date is November the 10th, two thousand and four. The time is approximately three twenty-eight, p.m. We're going to make a consensual recording with John DeBello and John Liscio.

(Pause)

JD: Hey Mike, this is where I would normally carry my beeper. On something like this. What if I press this? What button would turn it off?

MH: Don't worry.

JP: Don't worry about it.

JD: Don't worry about it, right? Okay.

JP: If that, if the ah...

JD: Yeah, at some point (UI). Just like that.

(Movement, conversation UI)

(Car door)

(Radio)

JD: Oh, shit. (UI)

JD: Sorry, guys. I thought there was an entrance there.

(Radio - driving)

(Car door at 16:42:02, radio off; noise inside car)

(Walking on street at 16:46:43)

JD: Hi. how are you, John DeBello. John Liscio in?

UF: Yeah.

JD: Oh.

UF: Back there.

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JD: Oh, thank you.

(Pause)

(Non-pertinent conversation regarding golf)

(Pertinent conversation begins at 16:50:16)

JL: What's going on with you, man?

JD: I don't know.

JL: How you doin'?

JD: I'm just exhausted. I'm always running...

JL: Oh. You want something to eat? Want some (UI)

JD: Nah.

JL: A bagel or something?

JD: No. Thanks.

JL: You sure?

JD: I'm exhausted. You know, I'm always running around. I was up early this morning. Doing surgery, ran to my office. It's never ending.

JL: How's your house coming?

JD: Scarsdale?

JL: Yeah.

JD: It's part of the problem. You know. Like ah, like Dee is...screwing me really.

JL: Why?

JD: Well, you know him and Dominick are friends. So why do you think my construction got held up for six months?

JL: I don't think that had anything to do with it.

JD: You don't? Why, you know Dee?

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JL: Yeah. Dee, Dee is uhm...

JD: Do you think he really disassociated himself from him or what? 'Cause I've asked you that a couple of times. You know, I just said Dee, I...just like tell me the truth. Like ah, you know. Then, then walk away from the job, I told him. I said just walk away then. Don't, but don't screw me intentionally. For, for this jerk.

JL: I don't think he's, I don't think he's even spoken to him. That's my opinion.

JD: Well supposedly, you know, Dee said some, some guys that just got out of jail? Went to see him. For money that he owed Dominick.

JL: Really?

JD: Neil. You know this guy Neil?

JL: Neil?

JD: Neil ah...Patsy's brother.

JL: It's his brother, yeah. Really?

JD: Yes. So I was panicking for awhile. I said is this guy gonna come over to my house? Knock on my door? You know? It's crazy shit.

JL: It just doesn't end.

JD: He's out of control. He's like way out of control.

JL: You know, it's funny because I was talking to ahm...ah...you know Peter Vitelli?

JD: No idea who that is.

JL: He was uhm, he's a lawyer down in Tuckahoe?

JD: Okay.

JL: And uhm...uhm...he used to handle stuff for Dominick years ago.

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JD: Okay.

JL: And he said I want no part of him.

JD: Yeah, yeah.

JL: I want no part of him. You know? So apparently uhm...Sherri walks by 'cause you know she lives on Lake Avenue. So he's outside smoking a cigarette and ah, she comes by. Uhm, she wants him to defend...help...she want, she wanted him to defend her and him against you and Joe. And he said absolutely not. I want no part of it. You know? So ah...what's happening with that (UI)?

JD: Well you know, they're still passing threats.

JL: Still?

JD: Yeah. Well he thinks when he gets out, he's gonna like ram my head into a wall or something.

JL: How it got this far? It...you know, I?

JD: It's really insane.

JL: You know I saw Joe, I saw Joe LaManna uhm...on Sunday.

JD: Mmm-hmm.

JL: Ah, you know, him too. With the ah, you know, where's it fucking end? You know with these contracts, he put, he put liens on your property too?

JD: Yeah. Put liens on my property. That's what I'm saying. Just like, the guy...

JL: So you can't even sell the property?

JD: Can't even sell it if I wanted to.

JL: Well you can.

JD: I can, but I gotta bond the lien. I gotta fight it.

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JL: Get a bond right, cause I told Joe we have one of the best bonding guys (UI) in the county.

JD: Oh yeah?

JL: Yeah.

JD: I may need him.

JL: He, he came from a big company down in Pelham.

JD: Hmm.

JL: And now he's with us and uhm, I think, I think Joe spoke to him already.

JD: Oh yeah? Huh?

JL: Yeah.

JD: It doesn't end. I just want him to go away. It's real simple. Go away. You know? You took me for money. You took Joe for money. Go away.

JL: It just

JD: You know, he, he's...

JL: (UI)

JD: ...you know what the truth is though? He set us up from the beginning. You know, we're getting words now like from his cousin Robbie Midollo ? That...

JL: Who's Robbie Midollo?

JD: ...you remember, you know Robbie Midollo? Ah, it's Dominick's cousin on Valerie's side? His first wife?

JL: With the auto body?

JD: Yeah. Yeah, yeah, yeah, yeah.

JL: He got fucked too, I heard.

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JD: Yeah, he screwed him out of money. But Robbie said that when he was still friendly with him, that Dominick used the term against me and Joe as fresh meat.

JL: Fresh meat?

JD: So, he, he, he asked me to help him and little did I know I was his, I was his new mark.

JL: Patsy, new mark right, right.

JD: I was his new mark. That, that's it.

JL: (UI) Something like this because your friendship. For so long.

JD: Well that's why I, I, I helped him. You know, his mother asked me to help him. His mother asked me...

JL: Have you spoken to her?

JD: No. She hates us. She thinks, he, he turns it around like we're hurting him.

JL: Right because you threw Sherri out with the kids out of that house.

JD: Well, what was I supposed to do?

JL: You had no choice.

JD: I had no choice.

JL: You had no choice.

JD: I had no choice.

JL: Where they at least paying the bills?

JD: No, she was supposed to pay me rent that she never paid.

JL: (UI)

JD: Never paid. I mean, that's why this thing just got...to the point.

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JL: Right, right

JD: You know, it's a whole big thing. Then he tried to steal money, more money from me, like in the bank account and I just said that's it. He actually tried to steal the house too.

JL: Really.

JD: 'Cause he tried to sign it over to himself, like to Mr. DeVito. How about that.

JL: (UI)

JD: You speak with her?

JL: With who?

JD: Sherri?

JL: No.

JD: No, right? No?

JL: No.

JD: Do you see her around? No?

JL: I see her in her car.

JD: Yeah, yeah, yeah. What's she driving now? I heard a brand new Mercedes, right?

JL: A Mercedes.

JD: Yeah, nice. I bought that for her I guess. (Chuckles)

JL: What'd you do with the Mercedes that you had? The truck?

JD: I still have it.

JL: You still have it?

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JD: Yeah. I'm paying it. That's what I'm saying. I got tons of stuff. I'm like, Joe and I got stuck. We got set up and we got stuck.

JL: And you insure the car?

JD: I took the insurance off. It's just sitting in the garage until...what I'm doing is, when the lease on my car is up, then I'll use that car.

JL: Right.

JD: When it's almost up, my lease, like another two months, I'm gonna put it on the road and, and use it 'cause I'm paying for it. Unbelievable, huh?

JL: So where do you go from here?

JD: You know, I don't know. But the main thing is, well I've been speaking to Junior a little bit. You know Junior, right? Uhm.

JL: Who's Junior?

JD: What? Anthony Pittore.

JL: Oh, okay. Okay.

JD: So. We're gonna like send him a message, I just want to be left alone. That's all I want. Just leave me alone.

JL: What does he want from you?

JD: He, I think he wants to bankrupt us. I think really what happened is, we caught on to him and stopped the bleeding and he's upset about it. And the fact that I threw his wife out, makes him more upset.

JL: Right.

JD: Because when, when I went to see him in prison once, when, he said to me, he goes at the end when you finish building your house, he goes don't pay Dee the last two hundred and fifty thousand, he goes, he owes me money. He goes, give it to me. You know and I looked at him,

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dumbfounded. I'm like, how am I remotely supposed to do that?

JL: Right. Right.

JD: So. I guess...

JL: Did Dee build the whole house.

JD: Dee's building, yeah, yeah, yeah, he's building. I'm jumping in to finish though. That's a whole another long story. But uhm, I ah...

JL: He pays you your money?

JD: Oh I pay him, yeah. I'm, I don't want any arguments. What, what do I want to fight with him for? I get enough fights. I want to fight with him too?

JL: What you should've did was, there's no insurance on the house right now?

JD: Ah, yeah, there is, but that's why I'm talking to you because now the house is valued more and I gotta get insurance on it.

JL: But you knocked the house down?

JD: Yeah.

JL: And rebuilt it?

JD: Right. No, but there's insurance I think through Ralph Berardi (PH).

JL: Who's Ralph Berardi?

JD: Ah, he's the money lender. Anyway, we, we gotta get insurance now. 'Cause it's, it's now at the point where the house is ninety percent done, I need some kind of insurance on it. So that's why I said, let me call you and like get this over with. Then the other thing was, Lisa, the other day, said something like you went to Sonny, to talk to him?

JL: Me?

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JD: Yeah.

JL: No.

JD: Oh, I thought maybe you could help me get a message to him, just like leave us alone.

JL: I don't, Lisa, said that?

JD: Yeah.

JL: Lisa was in here.

JD: Yeah.

JL: I never told her that.

JD: Oh? I thought she said that.

JL: I never went to Sonny.

JD: Well, whatever, don't...

JL: No. No. I want no part of this fuckin' prick. I was telling Lisa about this fuckin' scumbag and this fuckin' claim that he had. He fuckin' killed me.

JD: Killed you? Killed me. Look at my insurance rates.

JL: I understand that.

JD: (Chuckles)

JL: But, I, the company wanted to come after me. Royal insurance, that I've been doing business with and my father, for fifty years. Forty, forty odd years. Okay? After this claim, they came to me and says, you have two choices. Either...we, we sever our ties and you rep...I have to replace a half million dollars worth of business. My whole, my number one company was Royal. Every account that I have, I have Royal and Citibank okay? Um, I was getting nice profit sharing checks at the end of the year.

JD: Sure.

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JL: Okay. because I had no claims.

JD: Oh, right.

JL: When this fuckin' claim hit, it exceeded with one house. Okay? And they came to me and said you have two choices. Either we sever our ties and no charges will be pressed against you. Or. We'll make it very difficult for you.

JD: Well why were they gonna press charges against you?

JL: They went to look at this claim...I don't know... there were a lot of fishy things going on.

JD: Tell me about it.

JL: Unbeknownst to you.

JD: Yeah, thank you.

JL: Okay. Not to have a tremendous investigation, because if I would have done something, you're the one who would've got stuck because the house is in your name.

JD: Well, yes and no because you know something?

JL: It don't matter. John DeBello, the house is in John DeBello's name, okay? Well anyway, I didn't take that route. I says, well, how can we make this go away simple and amicable? We want no part of you, they told me, after fifty fucking years of doing business with you. Ya know, My dad and, the person who built the business before my dad. There's like a seventy year history between Liscio and Royal insurance. That, that is gone now.

JD: I gotta ask you. Honestly, between me and you? How did you let him put this claim in? This guy's an idiot.

JL: How'd I let him?

JD: Yeah, you should've stopped him.

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JL: How? He calls me from Florida, okay? I was going out. I, I knew nothing about it. I'm going out to a dinner dance with my wife, okay? Like it was yesterday I remember, to ah, a club in New Rochelle. He calls me from Florida. Get over to my house, major pipe broke. Damaged the whole house. Okay, I told my wife, Doris, that I can't go. I gotta go over. I go over there, fuckin' mess. My job as, as an insurance agent is to use my vendors, so what I did was I called, you know, first of all the (UI) was there and this guy was there. Uhm, I called Crystal Restoration.

JD: Yeah, those guys with the blowers or something? I saw them, yeah.

JL: Well, that water had to come out somehow. You know? And ah, that's all I did. Uhm. You know Sonny was over, this and that, what a fucking mess. And ah, you know, I know nothing of what's going on. I see this fuckin pipe break, okay? And, and, uhm, the water's going downstairs, down to the basement. As we're sitting around that night, I don't know, around nine, ten o'clock, the boiler explodes. You know that?

JD: No I didn't.

JL: With all the water...

JD: So it's missing?

JL: ...with all the water that leaked down from that pipe, down to the boiler, my friend Lou, I left. So Mike and Lou calls me up, they go John, the fuckin' boiler just exploded. And uhm, we're sitting around having pizza there was a bang! And he goes down, the fucking smoke from the ah, you know, from the boiler, was coming up. Anyway, this whole thing had to be planned. All planned. ya know, usually, now the information that I get from you, okay, so you would call me up, you know, John I need insurance on the house, the house is this, this and this.

JD: Mmm.

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JL: Well it was totally opposite. Than what was on the application. You know? He told me it was a brick house, it was actually a wood house.

JD: How does that affect the claim though?

JL: Rates.

JD: Oh!

JL: Meanwhile, you're getting charged for brick, okay?

JD: So it's cheaper?

JL: It's cheaper. He told me there was no sprinkler system. There was no this, there was no that and there was a sprinkler system. There was a...a...you know? So they're looking at me. You know John, you misled us. You gave us the wrong information. On top of this, after they viewed, if they did come against me, they wouldn't, they wouldn't have paid the claim. They would've went fuck you. What you guys would have to do, you and Dominick, is come after me for my errors and omissions and sue me personally. Okay? It's like your doctor's insurance. Your malpractice. I have malpractice insurance myself.

JD: Yeah. Yeah.

JL: I said, look. Let's end our ties, okay? They paid the claim. Okay? Now I have to, it's a fuckin' nightmare. It's an absolute fuckin' nightmare. You know? And uhm...then what he does, this is the best, he calls ah, he called uhm, he called the public adjustor up, Phil Mellilo. Once he does that, I'm out of the picture.

JD: Who, who's that guy, is he dirty? That guy Phil, Phil Mellilo? Dirty? What's his involvement? He's involved with those guys?

JL: I, I, yeah I would assume so. He's a public adjustor. He, he was always seen down in ahm, Rigoletto's.

JD: He's at Rigoletto's all the time?

JL: Yeah, and ah...

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JD: So he planned this from the start?

JL: Probably. Probably.

JD: You know, and he pushed me to go on vacation with him that month.

JL: Yeah?

JD: Yeah.

JL: And you didn't go?

JD: No, we did. We were in Florida. I was in Florida.

JL: So you went?

JD: I got there that day and he called me up and he said, a pipe just broke at the house. I says, what are you talking about? He goes, oh, the whole house is damaged. And then we were on the phone the whole time and ah, that was it. But I, you know, I didn't even put the claim in. He did.

JL: Of course. See, he saw dollar signs. He saw dollar signs.

JD: The truth is when I got back, I looked at it. You know what he told me? I said, how much do you think this is gonna cost, 'cause I wanted to see where he was going with this. He said, ah, fifty, a hundred thousand dollars. And the truth is, that's what it looked like to me, 'cause, tell the truth John. It wasn't that much damage.

JL: You make it that much damage. Do you understand?

JD: So, you know, I...and you know I called him for the mat and I said Dominick, are you pulling some shit here? You know what his answer to me was? He goes, no, John, he goes, I'm on probation, are you kidding me? He goes, I would never do something like this. He goes, look, the whole house is damaged. He goes, what do you want me to do? He goes, look at all my expensive furniture. I said, all, all right. And the first I

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heard, you know when the first I heard of the numbers? Remember I called you? You remember that, right?

JL: Yeah.

JD: I never knew, seven hundred thousand. John. Something's wrong with that.

JL: Yeah, and the problem is that I have no say. You understand?

JD: I wish you had alerted me of something. I would've said to the insurance company, stop. I wouldn't have put the claim in. I wish you had, whatever. It's hindsight. You know, it's hindsight.

JL: He needed, he needed to get the house done.

JD: He needed to get the house done? He could've done the house for a hundred thousand dollars.

JL: He needed to get the house done. On, on top of it, he did the construction.

JD: 'Cause I let him. (Chuckles)

JL: Because I called in, you know, Crystal Restoration, also brought in a guy, okay, and they went up, they went throughout the house, okay? And, and, uhm. He came back with an estimate a hundred thousand dollars more than what Dominick estimated. Okay? So ah. They must have made a lot of money off that fuckin' claim okay?

JD: Yeah, under my name.

JL: Under your name and his name.

JD: Yeah, 'cause he had the ah...furniture. Who has three hundred thousand dollars worth of furniture and paintings? Let's be honest.

JL: Well, I know. I know. I know. I know. I know.

JD: He's just a...

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JL: (UI) you know what made me really, this is not the first time that something happened like this. I mean this is something that's pretty major. You know? But he had a big claim up at the mansion you know? I heard and ah, you know?

JD: He did, he did it through you?

JL: Of course. You know, hah. I don't mind, you know, but I keep on taking a fucking hit. Throw me a fuckin bone once in a while, give me this, give me that, promise me, promise me (UI) you know? So, I took nothing for this hit. What really bothers me is his spreading a fucking rumor about him giving me a hundred thousand dollars.

JD: He told me that. For your cocaine habit.

JL: How fucking dare he! That fucking scumbag! He gave me a hundred, that man, you know what he gave me? Hah?

JD: What'd he give you?

JL: He paid for one night at the VIP Club with a girl that night that we all went down.

JD: Yeah.

JL: That's all he gave me! (UI)

JD: See, that was bad stuff, like, you know, I told him don't participate in that. Remember Artie Caross (PH)? I met him the first time that night. I was staying with him. I was talking with him. The next thing I know he disappears, he comes back. I was trying to be nice to the guy and I said, listen. Don't do this stuff. I said, do not do this. You know, and he goes again. And I was, I was telling everybody, do not do this.

JL: I know.

JD: Right? I was hanging, unfortunately I was hanging out with Dan Forbes, Paul Kelly. They didn't do anything and then Artie Carossa, he kept going back and forth. He went up there twice.

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JL: (Laughs)

JD: And I said, you guys are out of your minds. That's why, you know, I went two times. To those clubs with him. That time and another time when he ah, he was going away.

JL: Me too. I went twice.

JD: He tries to trap you though. Now I know that. You know?

JL: You came home with me, I think.

JD: Yeah.

JL: Yeah.

JD: Yeah. I don't get involved in that stuff.

JL: That's the only fucking thing I ever took from him. Okay? And he's telling me he, he gave me a hundred thousand? Yeah. What person gonna give a drug addict a hundred thousand dollars to put up their fucking nose? You're gonna give me money so I can buy drugs so I can do em, you fucking asshole. That fucking burns me more than anything. I don't care about this. I don't care about, but you fucking spread a rumor about me, the fucking guy that you've been fucking for the last five years? And I'm keeping (UI). Any time you needed money Dominick, you always made a fucking claim, you always made a claim, you always made a claim, yeah.

JD: He's unbelievable. Well you know what happened, when they, they tried to put another claim in at the mansion. And you know what Sherri said to Joe? She goes, just put it in. You and I will split it Joe. That's what pissed us off. We're like, you guys are out of your minds.

JL: I know Joe. I know Joseph.

JD: Did she come to you and say that to you?

JL: No.

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JD: Oh.

JL: No. I heard it through the grapevine. I heard it through Joe. Because he was there when Sherri approached him. You and Joe talk right?

JD: Yeah, no, we're fine. No, we're trying to battle this evil.

JL: (Sighs)

JD: We just want him out of our lives. It's real simple. Just, I don't even want to speak to the guy. I don't want to see him. I don't want to talk to him. I don't speak to his parents.

JL: (UI)

JD: His mother set me up. His mother. Set me up. How about that? I guess it's in the family. Was Sonny ever a bookie?

JL: You know.

JD: I'm just curious, 'cause you know, I just like...like, you know, you know, I look at his parents as like just two, you know, Italian people from Tuckahoe. Like we had dinner there.

JL: Right.

JD: Now, I look at Sonny as, I'm not sure what he really was.

JL: I think Son...I think Sonny worked for Dominick. And Dominick told him what to do and, and, and, Sonny was a gopher. You know?

JD: But was he a bookie when we were growing up, or anything like that?

JL: No.

JD: No?

JL: He was a janitor.

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JD: He had two jobs. And he always had money, John, let's be honest. Let's be honest. He always had new cars, you know.

JL: Right.

JD: Back in the seventies and...

JL: Maybe. Maybe. Maybe. So where do you go from here?

JD: I know. You know, I was talking to Junior. He said Dom put another claim in for one point eight million. Is that true? I can't have that hanging out there. I just need to know if it's true or not? Junior said, I was talking to Junior the other day 'cause Junior's pissed at him too. He took Junior for money. You know, so Junior said to me, he goes, you know he got ah, he put in the seven hundred thousand, but he also put in an additional one point eight million. I said, you gotta be kidding me? I said are you sure, Junior?

JL: No.

JD: Eh, eh.

JL: What, for Brae Burn?

JD: For Brae Burn.

JL: Nah, no.

JD: Unbelievable. The same, you know, same thing Scott Circle. Right? Pipe broke. C'mon. C'mon.

JL: I know, so what'd you do with Brae Burn? Is it rented?

JD: No. Can't sell it. You know what the truth is though too? Everybody's staying away from it 'cause they think it was some Mafia guy's house. So the realtors don't even want to show it. That, that's the problem I have. Now I have this stain of Dominick DeVito and, like, true to some people in town, like they think of me and Joe as that we were involved with him. Now we were friendly with him and trying to do real estate stuff, but not involved with him.

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JL: That's what they think?

JD: Well now they think that about us and they don't want to, they don't even want to like look at some of the houses.

JL: What are you gonna do?

JD: I'm gonna try and survive as long as I can and ah, you know what my attorney says? He goes, in about six months, he goes, pick one of the houses you want to live in. The other two, you might have to let go. I'll have to claim bankruptcy and move on. What am I gonna do?

JL: How many houses are you paying for now? Two?

JD: Two and the third one coming. That I cannot afford.

JL: What, the new one?

JD: Yeah.

JL: Can't afford it?

JD: Well, no. I'm gonna refinance it and I'm gonna try and hang on to it and sell it. But I can't afford three homes. Can you?

JL: It's killing ya.

JD: Killing me. Not that my wife is such a spendthrift, but she goes to the store and sees like shoes for fifty dollars and puts 'em down.

JL: I know. You can't do it.

JD: We just don't do stuff. I mean, we can't live a normal life.

JL: And what's the other house?

JD: What about it?

JL: I thought you had the one...

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JD: I got mine. Brae Burn and Scarsdale.

JL: Oh that's right

JD: You know. You know, look, you know what I do for a living. I can more than afford my house. Three of 'em? No. Can't afford 'em.

JL: Joe's probably pulling his hair out about that fuckin' mansion up there. What the fucking hell is being built in front of it?

JD: That's a whole, that's another Dominick fiasco.

JL: Oh my god. yeah

JD: Another Dominick fiasco.

JL: Oh my god. And the problem is is that Brae Burn, is that your asking too much money

JD: Not really though.

JL: How much are you asking?

JD: Three two. That's what they're going for John.

JL: Yeah?

JD: But no one's biting right now. No one's biting. It's unbelievable.

JL: You need any information from me, you know anything else.

JD: No, the truth is, I thought maybe you had something for me for Sonny. Really. Like, no really. That's what Lisa said. She goes, she goes, John closed the door, he said something about Sonny. He went to see him. I'm just curious. You know, I'm curious to see what their side is doing. Against us. You know what I mean? That's what, I'm just curious to know. Like where, where are the, you know, you gotta understand too, for me. Where's the land mines? You know? I, I don't know what's going on here. You know, he blind,

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tell the truth. He blind sided me with this claim.
Did, did I know this was gonna happen?

JL: I kind of thought you knew.

JD: Me? No.

JL: (UI)

JD: No. That's just completely impossible.

JL: No, wait a minute. Wait a minute. I know what you're
talking about with Sonny. Sonny came in here.

JD: Okay.

JL: Not now, a little while ago.

JD: All right.

JL: And ah, ah, he come in. I mentioned nothing with you.

JD: Oh, all right.

JL: Uhm, I, I remember. All I did was bad mouth him.

JD: Dom?

JL: Yeah. And ah, (clears throat) I kind of figured he was
wired.

JD: Sonny?

JL: Yeah.

JD: Why would he be wired?

JL: That's my thought.

JD: Really? Why, what was he asking you?

JL: I don't know. He goes, he goes, uhm...

JD: Why would he, does he usually come in?

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JL: No. No. And ah, and I said to him, ah, Sonny, you know I'm trying to think of what I said to him. He was telling me that something might go down. With this uhm, the insurance and ah, he said that you started something?

JD: Me?

JL: Yeah.

JD: No.

JL: No, with that procedure for a claim about...

JD: No, what happened is that the insurance company contacted me, you know, Royal.

JL: Right.

JD: I told 'em the truth, I had no, I had no idea of anything. The truth is they think that the pipe did break. Honest to God. I spoke to the attorney and I said what's going on with this case? I didn't ask...

JL: Right, but when your wife came here a few months ago, you wanted all the information...

JD: Yeah, I just wanted to know for myself, John.

JL: Right. But you didn't start anything?

JD: No, I didn't start nothing. I wanted to know for myself. What happened. 'Cause I had, I was blind sided.

JL: Right. Right.

JD: The truth is, Dan Forbes, you know, said to me something once that...

JL: Yeah, he made out, he made out like a fucking bandit too.

JD: Dan Forbes? Oh yeah.

JL: Yeah. On that claim. On your claim.

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JD: Yeah, thanks. Not you, you know what I'm saying. Like him, you know, I'm sayin Dominick. Thanks a lot.

JL: He got fucked a little bit by Dom.

JD: He got screwed, Dan? How? Well, what did Dominick do? He paid him though, you're saying? How did he make money?

JL: He took control of this whole thing.

JD: Really? Do you think I knew that stuff?

JL: I had a feeling you did.

JD: You really did?

JL: I'll be honest with you. Nah, I'm not sayin, look but I want to tell you something. I was, I was willing to get involved because I wanted to make something too.

JD: Oh you thought I was involved to make money?

JL: Yeah.

JD: No.

JL: No, no, no. No.

JD: You understand, I deal with insurance companies every day. I can't do that.

JL: No, no, no. Like we all are. Like we all are.

JD: Alright.

JL: I mean, I was, you know, I was looking at like it was going to be a fucking score for me too.

JD: Right.

JL: Okay? It turns out to I got fucked. You understand? On top of that, I lost my company. I lost my profit sharing, okay? And the day before...

JD: He doesn't give a shit about you.

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JL: No. I know that. And the day before he went away, I was up at his house. I was telling Lisa. The veins, I swear to God, the veins were popping out of my fucking neck. I was going up there to give him a beating.

JD: You should've.

JL: And Lisa was here last week and look, I still got fucking chills. 'Cause it fucking irks me. I was driving up, it was around lunch time and I was heading to the Hutch when he told me, see my father when I'm gone, my father has the money. Okay? So, you know, I think that he keeps some of the money (UI) Now I'm going well he's got the money, he don't give it to you, something wrong and now, you know, it's fucking irking me and I'm saying, he's fucking me. Okay? He's gonna go away, fuck John, okay? Fuck you. Fuck Joe and, and, leave us in this mess. Well, I was telling Lisa, I said, Lisa, the veins are popping out of my head. I, I want to go up there and give him a fuckin' beating before he goes away and I got in my car. This is no bull shit.

JD: Tell me, yeah.

JL: I drove up on the Hutch. Okay? I got fuckin' fire in my eyes. I got off Purchase Street and I'm saying to myself, where's this gonna lead me to?

JD: Where you gonna go, jail?

JL: Yeah.

JD: For what?

JL: Exactly. Exactly. I, I made the left off the Hutch and, and came back down. 'Cause you know, I'm gonna get into more trouble...

JD: 'Cause if you knocked on the door, you would've carried out your plan. It's a good thing you didn't do that then.

JL: So uhm...

JD: Don't, don't put yourself in that position for him.

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JL: So. The one time that I talked to Sonny and uhm, I mean, I see him in the street. You know. I, you know, I don't even say hello to him.

JD: Yeah.

JL: Uhm. I don't know. I have a feeling he was fucking wired up so I says, your son made a three hundred thousand dollar profit.

JD: What'd he say to that?

JL: He went nothing. You know, Sonny plays very good stupid, ya know.

JD: Yeah, tell me about it.

JL: He plays very good stupid. You understand?

JD: Yeah.

JL: (UI) your son made three hundred thousand! And I says, he promised me something. He goes oh, that's not right, he goes, you know. I says, you saw what he did to this house. He did the construction. He did that. And on top of that, your son got balls to start a rumor against me I'm a fucking cokehead and he, and, and your son gave me a hundred thousand. Go back to your son and tell him he's a fucking liar. He never gave me a dime.

JD: Did he ever get back to you though?

JL: No. No.

JD: But how did he play it off? Like he didn't know a thing.

JL: Like he was stupid.

JD: Yeah, what are you talking about?

JL: And I said Sonny, do you remember the day I came up there? I said, you know Dominick promised me something. You know? That you were supposed to give it to me. Oh no. I know nothing about that and I

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never saw him again. You know, it, it just gets fucking worse and worse and worse and worse.

JD: I got a, I gotta tell you. You know what bothers me. Why would you think I would know about this? (UI).

JL: I figured, you know.

JD: No, it just bothers me. 'Cause like, you know, it's just stupid, no, whatever. It just (UI)

JL: No. No, no, no. No. And then I thought about that, that you would know something about this. Okay? To make some money.

JD: C'mon.

JL: Hey. It was no skin off my nose. Because I looked at the whole picture. John, not you personally, but I thought that uhm, okay. John owned the house. Dom's got the contents. I'm gonna put the claim through (UI) okay? He was gonna take care of me. You know? I had no fucking problem with that. You know? Uhm. I swear to God. I always thought that you knew everything was going on.

JD: He set me up dude.

JL: I didn't know that. I did...I didn't know that.

JD: Remember when I called you and asked you how much he got? Do you remember?

JL: Only after the fact.

JD: Yeah, but do you remember my voice? I was like, you kidding me?

JL: Yes. Yes.

JD: He told me fifty, you know how many checks he showed me? One. For twenty-five, thirty-five thousand. You know, he signed the checks and stole them.

JL: (UI)

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JD: 'Cause...

JL: (UI) a little one.

JD: It was a little one. You said, you knew that, right? He signed the checks.

JL: No, I didn't know he signed checks because the check never came my way.

JD: Oh.

JL: I just got one, I get a draft, okay? Uhm. Ah because the P.A. is called in, I, I get the draft after the fact that the check is sent out. I get what was paid out.

JD: I got you.

JL: You know. Uhm, but, in, in all your doings, okay? I thought that you and Joe and your wife and his wife and...

JD: (Chuckles)

JL: ...no really.

JD: No, I got you. Go ahead.

JL: Look. You were three best friends.

JD: From twenty years ago.

JL: Right. Right. But I figured, okay, you're, uhm. I didn't know that. I knew that then. Okay? It was a good picture. Okay, we were at Ciao's, we were at Napotano's (ph), we were out here. Everything was great. You know, so I thought everybody was involved and, you know, no big deal.

JD: Hmm, that's all right. Yeah.

JL: No. Not until after the fact, okay? That uhm, I found out about what he was doing to you. So I figured that, okay, whatever he did with you, you knew. Whatever he

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did with Joe, Joey knew. I didn't know that. I, I didn't know that then. I didn't know it.

JD: All right. No, I'm saying, I wish you had given me a warning back then. That, you know. Like, he, honestly, even Junior, you know what Junior said to me? He goes, uhm, when I spoke to him like a couple of nights ago, he said ah, he goes, you know, he goes, I know Dominick, I knew Dominick was gonna take money from you. He goes, I should've warned you.

JL: How did he know that?

JD: That's what he told, 'cause that's what he does for a living pal. What does Dominick DeVito do for a living? What does he do? Now I, now I know.

JL: Fuck people.

JD: Yeah, exactly. He bull shitted me that he's, he was doing contracting, you know, when he, when he asked me to lend him money. He had these homes. He showed 'em to me. You know, he got arrested. He said, can you help me? You know, I turned him down three times. Until this, you know what really got me? His mother asked me.

JL: His mother? Hmm. Sad.

JD: His mother.

JL: Sad. Sad.

JD: 'Cause I don't want to get involved with him and then I said all right, I'll help him. He gave me the sob story. He needed money for his attorneys. So I felt bad for him. You know, I got a wife and kids. So what, so what, so that appeals to someone like me. Guy's got a wife and kids. We're friends, let me help him.

JL: What happened to ah, that guy King? He left town. He got fucked too. The house.

JD: He's just unbelievable.

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JL: Now, my understanding is that he took these houses in your name, mortgaged them to the hilt, took the money.

JD: Well basically, yes. That's what he did to Joe. Bad. I mean, bad. To Joe. Bad.

JL: When I, I was goin' to my cousin's house in Purchase Estates and ah, I'm driving with my wife, what the fuck is that, there was a bulldozer in front of the mansion and they were building a house. What the fuck is that?

JD: You knew right then he was getting screwed, Joe.

JL: Yeah. Yeah. Well, I found out he, I think you told me.

JD: Hmm.

JL: That ah, on the lawyer had bought it.

JD: Yeah. Lou. Cherico.

JL: Right.

JD: Yeah.

JL: He's helping you out at all?

JD: No. Lou? He pretended to. He took me for money too.

JL: Really?

JD: Yeah. He, he's a wannabe mobster. Let's be honest. I mean, now I know, I know that. You know, he hated Dominick and that's why we ran to him to see if we can, he can help us somehow. You know? I mean, we're just looking to gather information and say like, hey, you know. Stay away from me. That's basically what I want. But you know then he passed threats through Dan Forbes. He passed threats to Dan, from Sherri to Dan Forbes to Joe to tell me and Joe that when he gets out, he's gonna kill us. His words were, he goes I'm gonna kill you and your family.

JL: I remember you telling me.

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JD: Yeah, nice. Nice guy.

JL: You know what's funny? That this whole year has been nothing but a fucking battle for me. He fucked me so bad with my company. I lost a tremendous amount of fucking commission. You know? I told you, okay? From before too, if you ever need me to do something or ah, you know. Uhm...I still have a lot of respect for you.

JD: No, I appreciate it.

JL: And...

JD: I don't know. Maybe I gotta set fire to my Scarsdale house (laughs). I got problems.

JL: With what?

JD: Money.

JL: The Scarsdale house is not even insured.

JD: Well, it's gonna be.

JL: Don't you have insurance on it with Chubb?

JD: You, you know, the...the truth is, I gotta ask my wife. I started panicking because we're finishing and I said, we got the appraisal on it now and I said, something happens to this house, at least I can get, you know, the money back, you know the carpenters are in there. The plumbers.

JL: But you knocked the house down.

JD: Yeah, we knocked the house down.

JL: What you should've done is build a builder's risk policy in course of construction.

JD: I wonder if Dee's insured? Well, what, what, did you get papers?

JL: No, 'cause I insure Dee.

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JD: You insured Dee huh? You got, you got the papers for me? For the Scarsdale house? Did you print something?

JL: I got no papers.

JD: I told you the other night. Do it for me.

JL: Do what?

JD: I said, do me a favor. I need insurance on my Scarsdale house. Start looking into it for me. That's what I told you. That's the real reason I wanted to come here today.

JL: Is that what you said?

JD: Yeah. All right. Get it, get it together for me?

JL: What do you need?

JD: I need insurance. Now what if I want to do something there? You can help me? If I want to put in a claim? Yeah? I mean, you gotta help me out, you know, I mean, I don't know what to do.

JL: Are you...did you ever cancel the insurance on that house?

JD: I don't know.

JL: With Chubb. You gotta find out.

JD: I, I gotta write these things down. I'll ask my wife.

JL: You gotta find out, because if Chubb comes, (UI)

JD: Really?

JL: Yeah. (UI)

JD: Well maybe they're not insuring this house, but maybe it's the old house. But it doesn't matter, right?

JL: The house they had the flood in the night I was there. That night I was there, with me, left with your babysitter, shoveling the water out and you, your wife

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and Dominick and Sherri went to the movies. Remember?
Forty-three fifty?

JD: No, no, no, no. Eleven Grand Park, Scarsdale.

JL: Eleven Grand Park.

JD: Yeah, you know how I got the water in the basement?
Because of shoddy workmanship he did in the backyard.

JL: When the water came in through the door?

JD: Yeah.

JL: Well I was there...

JD: Yeah, but that wasn't pipe damage. I don't think.

JL: Well, we wanted to make it a pipe damage.

JD: No, and I said no.

JL: All right.

JD: Remember I said to you? I said no way.

JL: Right. I remember water coming through it. The
landslide, it was like a landslide in the backyard.
And I was shoveling it while you and your wife went,
went to the movies. No, you went out to dinner first
and then you went to the movies. (UI)

JD: My wife. Antonella. Yeah, that's right.

(Pause)

UF: Good night John.

JL: Good night (UI). See you Monday.

UF: (UI)

JL: (UI)

(Pause)

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JL: John!

JD: Yeah.

JL: The only thing I have is Twenty-eight Brae Burn.

JD: Right.

JL: And...Forty-three Fifty Purchase Street.

JD: All right. So you gotta get one for ah, Scarsdale.

JL: But you had one.

JD: I didn't, you know, I don't know these things. That was my wife...

JL: You gotta check. Because you had it, I remember.

JD: I mean, that's like asking me what my Con Ed bill is every month. I mean, you know, I don't know those things. That's what my wife does.

JL: Cause I remember that you had a policy. Just ask your wife. Ask your wife, 'cause I remember you had a policy covering Park Drive.

JD: Mmm-hmm.

JL: Okay? Because I saw, because I saw the policy. Okay? It was in your garage. And I was looking at it under the light. You know, I was going like this, 'cause I remembered that you had a policy with Chubb. Okay. If you do that, it's a score (UI).

JD: Yeah?

JL: You know? Because like the first thing I would do is call uhm, I call Brent at EAB. (UI)

JD: Who's that?

JL: (UI) he's my, he's my go to guy.

JD: What is E-A-B? What's that?

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JL: Executive Adjustment Bureau.

JD: Oh, all right. I don't know all these things.

JL: (Clears throat) And ah, Lou from Crystal, what E-A-B does for me, matter of fact, we just had a big loss over here on Highland Avenue.

JD: Mmm-hmm.

JL: Uhm, I call him up, he goes there, he, he adjusts the claim. Uhm, and, and ah, he gets you the most money okay with Chubb.

JD: All right.

JL: I got no problem with it.

JD: All right.

JL: Uhm, but.

JD: Well I may be pushed to that, that limit. You know? I don't know. This guy's got my back against the wall. Unbelievable. You hear when he's getting out? Do you know? I really want to sell everything and just leave before he does. Well you know he's gonna come out and, and come after me.

JL: What's he gonna do?

JD: I don't know. But I mean...

JL: What's he gonna do?

JD: ...I mean he's obviously involved with these guys.

JL: He probably, you know? I don't even know what he's gonna do. I mean, (UI)

JD: Well he stole enough money so he's gonna, probably go somewhere else.

JL: He might pack up and move, go to Florida.

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JD: Supposedly I heard he bought a two million dollar house in Florida. Did you hear that? Yeah, huh. Unbelievable, huh?

JL: Even his wife, Sonny, everybody (UI)

JD: Wouldn't be so bad.

JL: (UI) that uhm, I heard that Patsy got word what he was doing and wasn't happy.

JD: Really?

JL: (UI) and Neil you know? Uhm. (UI) Patsy's brother.

JD: I heard he's like some black belt in karate or something? Junior actually said, he goes, you gotta be afraid of him.

JL: Yeah?

JD: Yeah, that's what he said. I don't know. I don't know these people.

JL: Well, what are they gonna do? Beat you up they're not gonna beat you up. You know?

JD: You know John, when I'm at, when I'm at work all day in an operating room, you know what the truth is? Honestly? I sit there thinking like, I call my wife like ten times a day. Just say, honey, how's it going? Are you okay? Are you okay? Ten times a day. You know? So as soon as I get out of like the O-R, 'cause you know, I can be stuck in an O-R for three hours and no one can really reach me. So, you know, it makes me panic. I don't know. You know, that when he gets out, now what am I gonna do? You don't think he's gonna try and do something against me?

JL: Nobody knows. Nobody knows what he's gonna do. He doesn't even know what he's gonna do.

JD: Well he knows what he's gonna do.

JL: There's nothing he can do. The damage is done already.

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JD: He obviously wants to do more. Put liens against me. Threatening me. Right? So he's not happy with what was done. You know? Obviously he wants more done.

JL: But there are more people after him than he's after people.

JD: You know, I hear that, but is that true? Who? Who's after him?

JL: An awful lot of people.

JD: Yeah.

JL: Small stuff, this stuff and big stuff.

JD: He's a mastermind at this stuff. Unbelievable. He's, he's like the devil. He just comes at you, makes you feel comfortable and meanwhile he's stabbing you in the back while he's calling you friend.

JL: Hmm.

JD: Isn't that what he did to you?

JL: A hundred percent.

JD: It's obviously what he did to me.

JL: Because Peter was telling me, uhm...

JD: Peter.

JL: ...and the lawyer.

JD: Oh, the lawyer. (UI)

JL: 'Cause when I seen him, he told me, he says, you know, uhm. He told me, he says, yeah. I heard the rumor about you.

JD: Oh, about the cocaine?

JL: Yeah. I'm like, how did this fuckin' guy hear?

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JD: They probably told him. You can't trust him. Get working on this for me. Please ah.

JL: You gotta find out, ask your wife.

JD: I'm gonna phone, I'm gonna tell her tonight, when, I'm going home now. I'm gonna ask her. If we still have a policy.

JL: It's eleven Park?

JD: Grand Park.

JL: Scarsdale?

JD: Scarsdale. Don't ask me what the zip code is.

JL: One-oh-five-eight-three.

JD: Yeah, that's it. Then I don't know, I'll, I'll see what we can do then. Unbelievable. He's just an idiot (chuckles). I don't know what this guy's malfunction is.

JL: I don't know either.

JD: How does he, you know what bothers me more than anything? How does he learn these scams? And if you put this much time into these scams, you can be doing something else, like productive. And the truth is, I, you know, he said to me, ah, I want to get away from these people. I'm done with them. He goes, I made my mistakes. I want to build.

JL: You know why?

JD: Yeah. Why?

JL: Because it's easy.

JD: Yeah, I guess it's easy money for him.

JL: Sure, He made ninety thousand dollars on a fuckin rug, it's easy money, ahm, he had this fuckin rug, ah I don't know, some kind of rug, (UI) ninety thousand dollars for a rug. Ninety thousand.

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JD: For a rug?

JL: For a rug.

JD: You know what I heard? Lou told me, uhm, the ah, his dining room table? He gave to the ah, to the insurance adjustor. As a payment.

JL: Yeah. Sure, everybody got paid off. Except me. (UI)

JD: And, yeah, you helped, helped him orchestrate it.

JL: Yeah, you gotta do this. You gotta do that. And, you know, ah, this. Everybody got paid off. Dan Forbes, the PA, Public Adjuster, the adjustor, not me, everybody except me, the guy who got fucked the most.

JD: And you got screwed in business.

JL: But I didn't know that, then. I knew it after (UI)

JD: Let me go. I gotta get going.

JL: I'll call you.

JD: All right. Let me know what's going on.

JL: You call me and let me know, if your wife doesn't have a Chubb policy with ah...

JD: I gotta, no, I gotta have some kind of insurance on it. I mean, God forbid, you know what the truth is too? I don't know if this, maybe this idiot knows and he'll burn the house down and I'm left with nothing. So don't say anything to anybody. 'Cause if I don't have any insurance.

JL: No, no. What's discussed between me and you...

JD: Is between us.

JL: Is between you and me.

JD: All right. I gotta run. I'll see you. All right, thanks.

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JL: (UI)

JD: See you John.

(Walking)

(Car door)

(Car radio)

(Driving)

(Car door)

(Walking)

JD: Oh boy.

(Car door)

(Movement)

MH: The time is now approximately four forty-six p.m. and the recorder is going to be turned off.

(END)